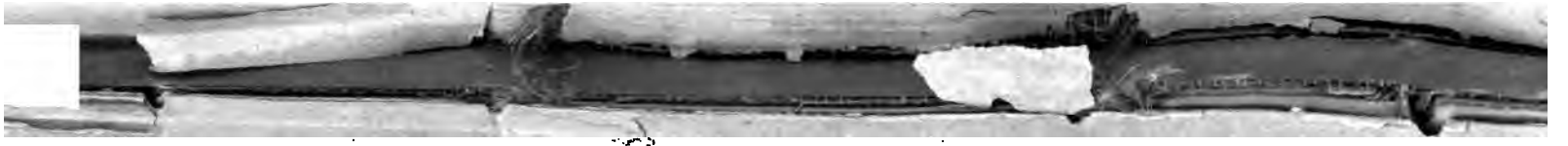
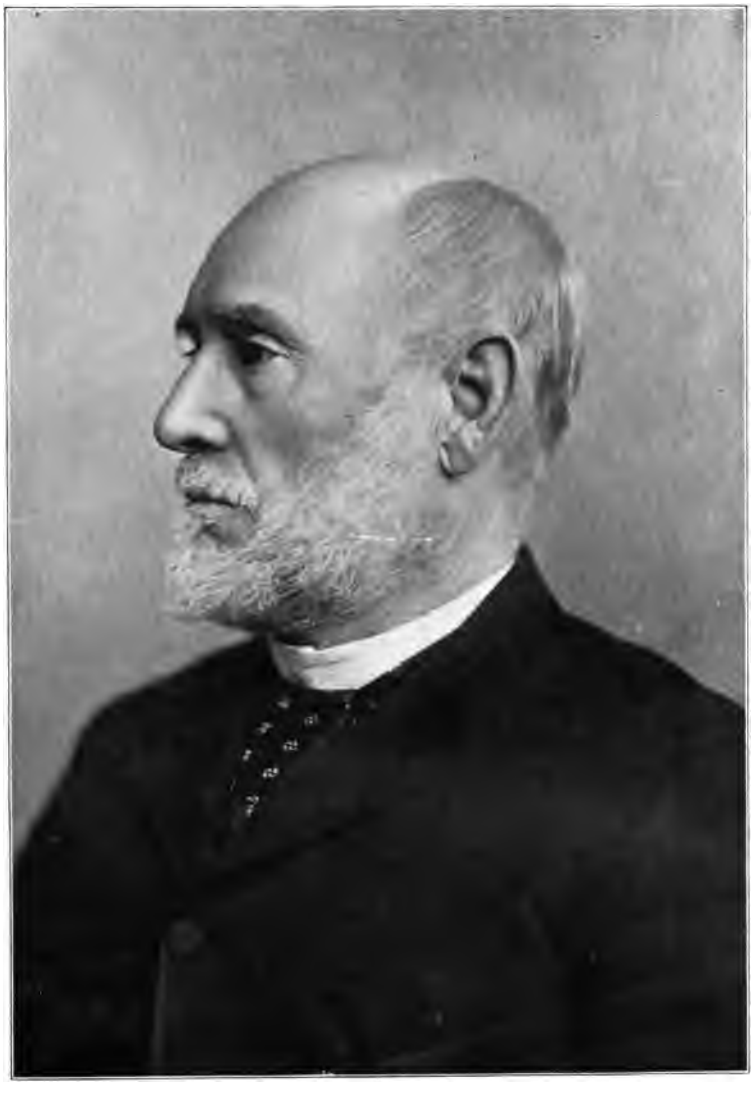
Proceedings and Collections of the Nebraska State Historical Society

Second Series. Vol. V





JUDGE E. S. DUNDY

PROCEEDINGS AND COLLECTIONS

OF THE

NEBRASKA

STATE HISTORICAL SOCIETY

SECOND SERIES. VOL. V.

"Tree 

Planters"

LINCOLN, NEBR.:
JACOB NORTH & CO., PRINTERS
1902

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LINCOLN, NEBRASKA, July 1, 1902.

To the Hon. E. P. Savage, Governor of Nebraska:

SIR—In accordance with the provisions of law, we herewith submit our report of the proceedings of the State Historical Society for the past year.

Very respectfully,

R. W. FURNAS,
First Vice-President.

HOWARD W. CALDWELL,
Secretary.

NEBRASKA STATE HISTORICAL SOCIETY

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* Died April 27, 1902.

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COMMITTEES FOR 1902-1903.

Publication—H. W. Caldwell, S. L. Geisthardt, Charles S. Dundey.
Obituaries—R. W. Furnas, Geo. L. Miller, A. L. Bixby.
Program—H. W. Caldwell, A. E. Sheldon, A. T. Richardson.
Library—Jay Amos Barrett, Miss Edith Tobitt, Albert Watkins.
Museum and Collections—Jay Amos Barrett, C. S. Paine, H. T. Clarke.

STATED MEETINGS.

Annual meeting of the Society, second Tuesday in January.
Meetings of Executive Board, first Tuesday after second Monday in January, April, July, October.

I.—HISTORICAL PAPERS.

TERRITORIAL JOURNALISM.

Address of the President, Hon. J. Sterling Morton, Tuesday Evening, January 11, 1898.

LADIES AND GENTLEMEN—There is no material work of our race anywhere in any age that did not first have a mental concept. It existed primarily in some human intellect. The artist who attempts on canvas the reproduction of some beautiful scene in nature asks a great deal from his own personality and trusts largely upon his skill, his experience, and imagination. The sculptor who sees in the formless mass of marble some beautiful piece of statuary, which must be brought out by his chisel, asks of himself and of Providence a great deal for the fruition of his mental image. But it occurs to me that the pioneers of a new country ask more of life than either the painter or the sculptor. They who saw in these vast plains stretching from the Missouri river to the Rocky mountains the great commonwealth which is now left on this canvas asked a great deal to live to see the fruition of their thought and the completion in part of this great painting of the prairies.

It has been assigned to me to tell you something of the early forecasters of the future of Nebraska.

The eyes and ears of the United States first gave attention to the existence of journalism in Nebraska during the latter part of July, 1854. On the 28th day of that month a paper named the *Arrow* (published in Omaha every Friday by J. E. Johnson and J. W. Pattison, editors and proprietors) first hurled itself upon a waiting public. But it was really printed and issued at Council Bluffs in the office of the Council Bluffs *Bugle*, which was owned and edited by J. E.

Johnson. It was not at all out of keeping with his domestic relations for Mr. Johnson to have two newspapers, as he was a polygamic Mormon and at that time enjoyed the domestic felicity of three Mrs. Johnsons in the same domicile. He was a man with the courage of his convictions. From a leading editorial in this first number of the *Arrow*, entitled "A Night in our Sanctum," we copy:

"To dreamland we went. The busy hum of business from factories and the varied branches of mechanism from Omaha City reached our ears. The incessant rattle of innumerable drays over the paved streets, the steady tramp of ten thousand of an animated, enterprising population; the hoarse orders fast issued from the crowd of steamers upon the levee loading with the rich products of the state of Nebraska and unloading the fruits and products of other climes and soils greeted our ears. Far away from toward the setting sun came telegraphic dispatches of improvements, progress, and moral advancement upon the Pacific Coast. Cars, full freighted with teas, silks, etc., were arriving thence and passing across the stationary channel of the Missouri river with lightning speed, hurrying on to the Atlantic seaboard. The third express train on the Council Bluffs & Galveston Railroad came thundering close by us with a shrill whistle that brought us to our feet, knife in hand. We rubbed our eyes, looked into the darkness beyond to see the flying train. It had vanished, and the shrill second neigh of our lariated horses gave indication of danger near. The hum of business in and around the city had also vanished, and the same rude camp fires were before us. We slept again, and daylight stole upon us refreshed and ready for another day's labor."

In another paragraph of the same issue of the Omaha *Arrow* is "A Word to the Editorial Fraternity," in which Messrs. Johnson and Pattison declare:

"We now look to you all for fraternal assistance in this, our honest attempt to establish a good, substantial paper,

upon this land, of general interest, whose object is and will be to transfer everything pertaining to the country through the *Arrow* to the wide, wide world. You can, if consistent with honest impulses, assist us to quite an extent. The present settlement here will by no means yet justify the expenses we incur, and from those interested abroad in the country we look for at least a partial support—not for a fortune—nor do we solicit patronage through you from abroad because we can't afford to do otherwise."

The advertising in this issue of the *Arrow* is not voluminous. Mr. J. E. Johnson, the principal owner and editor of the journal, issues what he designates "The Last Call" to those who have "unsettled accounts with the late Emporium Store."

R. Hawke & Co. notify all persons indebted to them that they will save cost by liquidating immediately.

Snow & Turley advertise real estate for sale in the towns of Sigourney and Keokuk, Iowa.

E. Lowe offers Omaha City lots, and closes his advertisement by stating: "Lots will be given to persons who wish to build this season."

Maria Mynster advertises real estate for sale.

But most prominent and most intimately connected with the development of the territory is the following advertisement:

"ATTENTION! SETTLERS IN NEBRASKA—The Gen. Marion runs regularly between Council Bluffs and Omaha City. There need be no fear of detention, as the boat is in constant readiness for stock, teams, or foot passengers, with steam up and ready crew. Come on, emigrants, this is the great central ferry! Hurrah for Nebraska! (signed) FERRY CO., June 23, 1854."

William Clancy, who subsequently distinguished himself as a member of the legislature from Washington county, advertises a "new arrival of an extensive stock of groceries,

liquors, and provisions, and outfits at the sign of the Big Six, Middle Broadway, Council Bluffs City, Iowa."

The executrix of the estate of C. O. Mynster, deceased, "warns all persons not to purchase any town lots lying in the hollow below the powder magazine, claimed by Wm. G. Brown, A. J. Hanscom, or Hepner, Baldwin, Test, or Larimer, as the same are the property of the estate of the decedent, C. O. Mynster."

J. D. Baylis advertises a bakery and eating house, while his brother, S. S. Baylis calls attention "to the new, elegant, and commodious Pacific House of Council Bluffs as a haven of rest for travelers."

John Keller advertises that a large *pine* lumber yard has been opened in Council Bluffs.

John McMechan & Co. (who subsequently moved to Nebraska City) advertise an extensive assortment of groceries and provisions.

Tootle & Jackson likewise offer a general assortment of goods, together with a prime article of osage orange seed for hedges.

One of the most unique, and, at this day, antique articles advertised for sale by J. E. Johnson, agent, is "Child's California Guides, giving a distinct and proper description of the road to California, made by and from the author's personal observation, and also copies from the Mormon Guide, with full directions for an outfit, and various other necessary instruction and advice. This is a good, correct, and neat article, and may be sent by mail free of postage to the purchaser for 50 cents."

But it is not possible in a paper as brief as this to make detailed mention of all commercial advertisements in the first number of the first paper published as from Omaha, Neb. In it, however, attorneys who advertise for clients are: A. W. Babbitt, Franklin Street, Marshall Turley, John W. Kelly, Joseph L. Sharp, Jas. D. Test, Johnson & Cassidy, C. E. Stone, A. C. Ford, Wm. Corfield, A. V. Larimer, W. C.

James, and L. M. Cline. No physician advertises in that issue of the *Arrow*—which is an implied compliment to the purity of the Nebraska atmosphere and the healthfulness of the climate at that day. And while no "big medicine men" were offering their services through the *Arrow* for the restoration or perpetuation of health among the frontiersmen, a prospectus for the *Nebraska Palladium*, which was to give sanitation to the settlement and improvement to the trans-Missouri country, was printed in this number. The *Palladium* was really the first newspaper printed and published in the Territory of Nebraska, and was edited by H. E. Reed and set up and printed by Thomas Morton, Dan Carpenter, and A. D. Long. The prospectus declares that the *Palladium* will be published at Bellevue, and then states:

"This paper will be strenuously devoted to the support of the great interests involved in the early settlement of this rich, beautiful, and desirable country. It will be an earnest advocate of the immediate establishment of those industrial, social, political, and religious institutions which can avail a permanence to society.

"The finest portion of this magnificent territory has already been purchased of its aboriginal owners, who will soon be transferred to more distant wilds and leave beautiful Nebraska free to receive the ever-enduring impress of the white man's energy, genius, and taste.

"The *Palladium* will be zealously devoted to the social, political, and moral interests of the vast multitudes who will soon transfer their interests to this country and begin the foundation of future prosperity, freedom, and happiness. The higher interests of education and Christianity will find a vigilant and an impartial advocate in the *Palladium*.

"Our political faith and character will correspond with that of the great Democratic party of the United States and be a true exponent of republican principles. We shall be independent and honorable in our course with friends and foes and follow no party when it departs from the standard

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[illegible] was first issued in November, 1854, at
[illegible], from a hewed log office known as the McKinney
[illegible], which stood between the old Presbyterian Mission
[illegible] northeast and the landing post of the American Fur
[illegible] northeast, near the bank of the Missouri
[illegible] The pioneer number printed in that town is 16, of
[illegible], and bears date Wednesday, November 15, 1854.
[illegible] editorial column we find:
[illegible] in our office, and who have set up the
[illegible] different states (Ohio,
[illegible] Morton, fore-
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of righteousness and truth. We shall avoid a state of neutrality upon all subjects, especially upon questions that relate to the great moral interests of mankind."

All of the foregoing is promised by the *Palladium* for $2 per annum, invariably in advance, and is signed "Reed, Latham & Co., editors and proprietors."

Mr. Reed came originally to the territory as a teacher at the Presbyterian Mission School for the Omaha Indians. He was a man between thirty-five and forty years of age, of fairly good ability, excellent moral character, and not much energy. Neither was he qualified by habits of study or writing for the position of an editor. His partner, Mr. Latham, was a downright, old-style, first-family-of-Virginia man, who prided himself particularly upon his powers as an orator and his gifts as a writer. He was a lawyer of considerable repute and (aside from a habit of at times drinking more firewater than was good for him) a man of fine reputation. He was a member of the First Territorial Legislative Assembly from the county of Cass—in which he never lived. My memory gives me no suggestion of what became of Mr. Reed or Mr. Latham after the spring of 1855; but I have an impression that they both left the Territory and that Latham died sometime before 1860 either in Council Bluffs or Glenwood, Iowa.

The *Palladium* was first issued in November, 1854, at Bellevue, from a hewed-log edifice known as the McKinney House, which stood between the old Presbyterian Mission at its southeast and the trading post of the American Fur Company at its northeast, near the bank of the Missouri river. The pioneer number printed in that town is 16, of volume I, and bears date Wednesday, November 15, 1854. In its editorial column we find:

"The first printers in our office, and who have set up the present number, are natives of three different states—Ohio, Virginia, and Massachusetts, namely: Thomas Morton, foreman, Columbus, O. (but Mr. Morton was born in England);

A. D. Long, compositor, Virginia; Henry M. Reed, apprentice, Massachusetts. At the moment our foreman had the press ready for operation, the following persons were—not by invitation, but providentially—present to witness its first operation, viz., His Excellency, T. B. Cuming, Governor of Nebraska, and Mrs. T. B. Cuming; Hon. Fenner Ferguson, Chief Justice of Nebraska, and Mrs. Fenner Ferguson; Rev. William Hamilton, of the Otoe and Omaha Mission, and Mrs. William Hamilton; Major Jas. M. Gatewood, of Missouri; W. A. Griffin, of Bellevue; Arthur Ferguson, of Bellevue; A. Vandergrift, Esq., of Missouri; Bird B. Chapman, candidate for Congress from Nebraska Territory; Geo. W. Hollister, Esq., of Bellevue; Theodore S. Gilmore, Chicago, Ill.; Miss Mary Hamilton and Miss Amanda Hamilton of Bellevue.

"The first proof-sheet was taken by His Excellency Governor Cuming, which was taken from the press and read by His Honor Chief Justice Ferguson. Thus, quietly and unceremoniously, was the birth time of printing in Bellevue, Nebraska—thus was the Nebraska *Palladium* inaugurated into the public service. This event, although to some it may seem unimportant now, will form an epoch in history which will be remembered ages after those present on this interesting occasion are no more."

Prior to the issue of this number the *Palladium* was printed at St. Mary, in Mills county, Iowa, just across the Missouri river, opposite Bellevue. This copy contains also the following:

"REMOVAL OF OUR OFFICE.—We hope our readers will excuse the late appearance of this number. We have been removing our office from St. Mary, on which account we have fallen short of the regular time for the issue of our paper about three days—and for the same reason we shall issue no paper until a week from Tuesday next."

Among other editorial notices in this issue of the 16th of November, 1854, the following appears:

"A. R. Gilmore, Esq., of Chicago, J. Sterling Morton, as-

sistant editor of the Detroit *Free Press,* and lady, Dr. E. N. Upjohn, of Michigan, arrived at Bellevue on the 13th instant."

It has been a rule of the writer of this paper never to correct journalistic misrepresentations concerning himself. But now, after the lapse and silence of forty-three years, the rule is waived and suspended long enough to state that he was not the assistant editor of the Detroit *Free Press* at the time of his arrival in Nebraska on November 13, 1854, although he had, even while in his teens, been a contributor to that journal, which was then owned and edited by Wilber F. Storey, who subsequently made the Chicago *Times* the greatest, strongest, and most influential newspaper in the Northwest.

This number of the *Palladium* contains the proceedings of the regular meeting of the Bellevue Claim Club, wherein the boundaries of the dominion of that association are laid down with great precision, and wherein also claimants are required to register within thirty days, and in case of failure their claims are to be declared vacant and liable to be taken by any person entitled to hold a claim.

It is perhaps well enough in this generation to explain that a claim in the North Platte country at that time consisted of 320 acres of government, unsurveyed land. Any American citizen had the right, under the Claim Club laws and regulations of that section of the territory, to measure and stake out 320 acres and place a cabin or a foundation for a log cabin upon it and have it recorded in the Claim Club books, and then sell it, or hold it for preemption, as to one-half of it. The preemption law at that time in vogue permitted the proving-up upon only 160 acres by each preemptor. The original design was that each of the first settlers should take and hold two quarters, and then if possible sell one of them for enough to pay the United States $200 for preempting the other. And if more than enough for that purpose could be secured by the selling of a "squatter's right," all the better for the first claimant.

Horace Everett, who afterwards became a prominent citizen of Council Bluffs and a real estate owner in all of western Iowa, has a communication in this first number of the *Palladium* in which he says:

"What all your readers want is territorial news—anything that relates to the country west of the Missouri. Please send your paper to Horace Everett, Gainesville, Alabama."

One of the most interesting features of this pioneer journal is found on its fourth page. At the head of the first column, under the word "Agricultural," these two lines appear:

> "He that by the plow would thrive,
> Himself must either hold or drive."

And immediately under that, set in italics, is the following, which I believe to be historically true to the letter:

"This is the first column of reading matter set in the Territory of Nebraska. This was put in type on the 14th of November, 1854, by Thomas Morton."

It is apparent that Thomas Morton fully realized the printing and publishing possibilities of the future, and that furthermore he had faith in that "column of reading matter" as the first part of a sure foundation upon which a great social and civil superstructure was to be erected and perpetuated.

In the same column is a recommendation to "eat beets baked, because potatoes are scarce and high."

Further along is an article on harvesting corn and another on cheap carpeting.

P. A. Sarpy advertises the Bluff City & St. Louis Packet Line on the Missouri river. The steamers El Paso, Polar Star, and James H. Lucas compose the line, and are declared to be boats "not excelled for safety, speed, and comfort, and shippers and the traveling community may rely upon the *permanency* of this line. Through freights and passengers will meet with but a few hours' detention at St. Joseph, Mo."

The business directory of the *Palladium* is not extensive, but very suggestive of enterprise. I. H. Bennett advertises a boarding-house at Bellevue; W. R. English offers his services as a negotiator, collector, general land agent and counselor at law, and states in his card that he has had an experience (he does not say of what kind) of seventeen years, in the Territory. C. E. Watson advertises as land agent, surveyor, and engineer; George Hepner offers his services as a counselor at law; G. W. Wallace tenders his abilities as a physician and surgeon; Bruno Tzschuck offers his professional services to the citizens of St. Mary and vicinity as a surveyor and engineer, he having an office in Peter A. Sarpy's store, corner of Gregory street. Mr. Tzschuck has since been made acquainted with Nebraska as one of its ablest secretaries of state, and is, I believe still living at or near Bellevue on his farm. Watson, Kinney & Green offer land for sale and likewise town lots. The Astor House, by William Ingall, St. Mary, Iowa, solicits a share of public favor.

On November 29, 1854, the *Palladium* issued a number containing an editorial, from which we quote the following:

"THANKSGIVING.—His Excellency, the Chief Magistrate of this Territory, has, in accordance with the custom of our Puritan ancestors, issued a proclamation to the people of Nebraska, recommending them to set apart Thursday next (November 30) to be observed as a day of thanksgiving and praise to the Great Being to whom we are indebted for the mercies we have and dependent for those we are striving to gain.

"Although we have, as in all new countries, comparatively little to be thankful for, we have sufficient to inspire our gratitude and praise.

"We have reason to be thankful that the Governor has thus publicly acknowledged the Supreme Ruler and recommended a day of Thanksgiving to be observed by the people of this Territory on the very threshold of their territorial

existence. We hope this ordinance will be respected and perpetuated from year to year to the latest posterity.

"A public meeting will be held at the Mission on Thanksgiving Day, at 11:00 o'clock A.M. Preaching by the Rev. William Hamilton. The public are invited to attend."

In the issue of the *Palladium* for December 6, 1854, we find a communication from Frederick V. Hayden, who subsequently became distinguished as a scientist and prominent as the head of the geological survey for the government of the United States. Professor Hayden, with whom I became very friendly and intimate, passed that winter at Bellevue. In this communication Hayden says:

"The geological formation around Bellevue is carboniferous, which extends as far as the Big Sioux river, where the cretaceous formation commences. Fine beds of coal may be exhibited when a thorough survey is made. About a mile north of Bellevue the bluffs strike the river, and a valuable bed of limestone is exposed. This will have an important bearing on the settlement of Bellevue. A geological section of it would be as follows: first, an argillaceous schistose limestone of a yellowish color, very compact, not suitable for lime, but well adapted for building purposes. This bed is very near the water's edge. Second, a coarse-grained, greyish-white limestone, containing no clay and therefore suitable for lime. This is an important bed and second only to a coal mine in its value to this portion of the territory."

This same 6th of December number of the *Palladium* contains the following:

"COUNTIES OR DISTRICTS.

"1. Richardson county contains two precincts or places of voting: one on the north and the other on the south side of the great Nemaha. The first will be held at the house of William Level, the second at the house of John Bellew.

"2. Forney [now Nemaha] county. There shall be one

precinct or place of voting in this county, viz., at the house of Richard Brown.

"3. Pierce [now Otoe] county. There shall be one precinct or place of voting in this county, viz., Nebraska City, at the house of H. P. Downs.

"4. Cass county. There shall be two precincts or places of voting in this county; one at the house of Col. Thompson, Kanoshe precinct; the second at Martin's precinct at the house of S. Martin.

"Douglas and Omaha counties blank.

"7. Washington county. There shall be one precinct or place of voting in Washington county, viz., at the post-office.

"8. Burt county. There shall be two precincts or places of voting in this county, viz., Tekamah and Blackbird; the first shall be held at the house of Gen. John B. Robinson, the second in Blackbird precinct at the Blackbird House.

"9. Dodge county. There shall be one precinct or place of voting in this county, viz., at the house of Dr. M. H. Clark, Fontanelle precinct."

The *Palladium* of January 3, 1855, gives a rather vigorous writing-up of a territorial convention which had been held December 30, 1854, at Nebraska City,

"For the purpose of taking into consideration the present unfortunate political condition of the Territory and of expressing the views of the people in relation to the motives by which Acting Governor Cuming has been guided in the management of the affairs of the said Territory."

Among the delegates present at that convention were: Stephen Decatur, Geo. W. Hollister, B. B. Thompson, Philip E. Shannon, Jas. O'Neil, Jas. H. Decker, Simpson Hargus, H. P. Bennett, A. M. Rose, C. H. Cowles, John Clements, Louis Cornutt, Nelson Hopkins, R. W. Frame, Jesse Cole, E. Wyatt, J. P. Handley, and J. Sterling Morton. The last was chairman of a committee on resolutions which made a very peppery report. It submitted resolutions for the consideration of the body of the convention, which, after a long and

spirited debate, were unanimously adopted. The last resolution recommended to President Pierce Gen. Bula M. Hughes, of Missouri, for Governor; and Dr. P. J. McMahon, of Iowa, for Secretary of the Territory of Nebraska.

The last number of the *Palladium* bears date April 11, 1855, and its leading article is relative to the murder of Geo. W. Hollister, a graduate of Yale College, who had been shot to death by Chas. A. Henry. The funeral services of Mr. Hollister were held on Sunday, the 8th day of April, 1855, under the direction and ministration of Rev. G. G. Rice. On the third page the editor formally announces the suspension of the *Palladium,* and with solemnity consigns it to death and posterity.

The Nebraska City *News* was first issued November 14, 1854, as being published at Nebraska City (Henry Bradford, editor), while really it was printed and issued at Sidney, Fremont county, Iowa. But in the spring of 1855 the scribe now making this historical record entered into a contract with the Town Site Company of Nebraska City by which he became, at the remunerative compensation of $50 per month, the editor in charge of and sole director and general manager of the enormous plant which was to continue the utterance of the weekly Nebraska City *News.* Therefore, from the second story of the U. S. Military Block House, which had been constructed in the year 1846 under the direction of Capt. Stewart Van Vliet (who, as a retired brigadier-general, is now living in Washington, D. C.), the first number of the Nebraska City *News* was, on April 12, 1855, duly sent to press and launched upon a waiting and astonished world. Under the terms of my contract with the Town Site Company, I had the right to employ and discharge printers and all the other employees at pleasure. Therefore, having known Thomas Morton, an Englishman (no kin of the writer), at Bellevue, as a most competent, steady, and industrious printer, I immediately secured him as foreman of the *News* office. Then began a

social and business relation and a personal friendship which lasted without break or interruption until the grave closed between him and the writer hereof.

In those days the rivals of Nebraska City were constantly publishing the statement that its site was a military reservation and that consequently no good titles could be given to lots. This rumor was so persistently repeated and so generally circulated by other town site companies on the Missouri river that it really worked great injury to the holders of property in and about the county-seat of what was then Pierce, and is now Otoe county. However, by continued correspondence, we at last drew a letter from Jefferson Davis, then Secretary of War in the Cabinet of Franklin Pierce, stating very distinctly and conclusively that this town site was not a military reservation, and that it never had been one, except for very temporary purposes. Each newspaper in the Territory was at that time merely the advance agent of a town company which was to act either successfully or otherwise in the drama of building a city—of establishing and maintaining a municipality. Out of this fact was evolved a selfish style of journalism and a markedly personal sort of paragraphing. Sectionalism between the North and South Platte was evolved from this sort of newspaper writing, and it grew to a bitterness and heat which led in later years to a serious convention, the delegates to which were pledged to do all in their power to annex South Platte Nebraska to Kansas. In fact, a convention was held in the latter state and delegates attended from every county south of the Platte river. Fortunately, however, Nebraska did not become a scion on the trunk of Kansas, though sometimes it seems to have been infected by microbes of its isms and vagaries.

Among the early newspapers came the *Nebraskian*, published at Omaha in the interest of Bird B. Chapman, of Elyria, Ohio, who was running for Congress in this Territory at that time. Its editor was Mr. John Sherman, likewise from Ohio, but not identical with the present Secretary of

State, though, if living, he would be about the same age. Editor Sherman was a man of about thirty-five years of age, of good physique, and more than average intellect, and great facility and perspicacity as a writer of sharp, pungent paragraphs.

But I shall not trench on Omaha newspaperdom any farther, because I have hoped that Dr. Geo. L. Miller would take up the early days of journalism in that propinquity and with his facile pen and felicity of expression give us a complete record of its infancy.

Nevertheless, in justice, one can not leave the subject of journalism at Omaha and its effects upon that commercial center and the state of Nebraska without telling some little of the truth about the influence of the Omaha *Daily Herald,* edited by Dr. Miller, in laying the foundations and ably aiding in the upbuilding of a metropolis on the west bank of the Missouri river. Dr. Miller issued the first number of the *Daily Herald* in the year 1865. He continued to issue "*Daily Heralds*" for more than twenty years. There was no day in any month in any one of the twenty years in which he was not an enthusiastic believer in the possibilities—commercial and agricultural—of the whole state. At no time did his faith waver or his persistent industry flag. Every morning there was something new in the way of hope, suggestion, or fact for the benefit and development of Omaha and its resources. Each morning the columns of the *Daily Herald* boiled over with buoyant enthusiasm and exuberant faith which animated every nerve, fiber, and brain tissue of the robust and able editor who dictated its policy and evolved its thoughts. It is my candid opinion that there is no instance in all the history of the Northwest where the thought and pen of a single individual has done so much to build up any community or city as did the pen and thought of Dr. Miller for Omaha and Douglas county. If the present inhabitants of Omaha, numbering something more than 100,000, should each of them write an article setting forth the ad-

vantages—agricultural, commercial, and manufacturing—in the state of Nebraska on each day of the week for six months to come, they would not have achieved as much manuscript and as much effectively good work in behalf of their homes as Dr. Miller performed in the twenty years during which he so diligently labored for the upbuilding of that community. No other man, either by the power of money, or by the power of brawn, or by the strength of brain, did as much to make Omaha a city as this one man accomplished.

Among early newspapers in the smaller towns or settlements in the Territory, the Nebraska *Enquirer,* by A. W. Merrick, published at DeSoto, in Washington county, played an important part. Mr. Merrick was succeeded as editor by Hugh McNeely. The *Enquirer's* best work was between the years 1858 and 1861. During the campaign of 1860 it was an ardent and active supporter of the Republican ticket, national and territorial.

The Nemaha *Herald* issued its first number of vol. I at Nemaha City on the morning of November 24, 1859. It continued its existence under the management of Fairbrother & Hacker until sometime in the early '60's when its publication ceased.

The Nebraska *Advertiser* was established at Brownville by Dr. John McPherson in 1856, and I have found copies of it running from October 27, 1859, to November 22, 1860, when it was published by Furnas & Lyanna.

The *Advertiser* was pronouncedly an advocate of the material development of Brownville and Nemaha county. It was a strong believer in the horticultural and agricultural possibilities of Nebraska soil. Its editor from 1856 to 1861 was Robert W. Furnas, since Governor of the State, who has been one of the most self-sacrificing and persistently industrious men in behalf of the upbuilding in this state of all that makes prosperity and happiness for its citizens. There is no Nebraskan in public or in private life who has, during a period of forty years, performed a greater, better, and at

the same time less remunerative labor than has Robert W. Furnas in his thoughtful and diligent efforts for the development of the true methods of home-building in this state. History will give him a peerless position among the pioneers who laid the social and æsthetic foundations of this commonwealth.

The *People's Press* was established at Nebraska City by Irish & Matthias in the spring of 1859, and No. 47 of vol. 1 was issued on November 11 of that year. It has continued and worked, like its competitor in that town, to the present day, although it has met with more changes of ownership and editorial control than has the Nebraska City *News*. As a rule, the *Press* has been fairly, decently, and ably conducted in a political way; and has always, according to its light, been a faithful supporter of the interests of Otoe county and Nebraska City.

The Nebraska *Republican* was established at Omaha in the year 1858 but passed out of existence about 1889, as I now recall it.

The Omaha *Times* was established with Geo. W. Hepburn as editor and proprietor, in the autumn of 1857, at Omaha. It subsequently came into the possession of W. W. Wyman, the postmaster at Omaha, during the Buchanan administration, and expired sometime during the year 1870.

The Wyoming *Telescope,* of Wyoming, Otoe county, was established in 1857 by Jacob Dawson, editor and proprietor. It was edited during the year 1859 by S. N. Jackson, who publishes his valedictory on July 30 of that year.

The Omaha *Nebraskian* began its sixth year in January, 1860, and on the 28th of that month the issue (being edited by T. H. Robertson and M. H. Clark) contains very interesting correspondence from Washington, dated January 16, it taking at that time twelve days to convey a letter by United States mail from the Federal capital to the west bank of the Missouri river. Peculiar zest is given to this correspondence from the fact that it is written by Dr. Geo. L. Miller, then

sojourning at the capital. The Doctor mentions the fact that William A. Richardson, of Illinois, who had been the Governor of this Territory, was in Washington attracting much attention and in close communion with Senator Douglas, of Illinois. The Doctor seems, judging from his epistles, to be very much interested in securing a land-grant for the purpose of building a trans-continental line of railroad which should make Omaha the initial point on the Missouri river. Even at that early day Dr. Miller cherished Pacific railroad building as a chronic ambition.

On July 6, 1860, Dr. Miller corresponds with the *Nebraskian* from St. Joseph, Mo., and informs its readers of the falling in at St. Joseph of a large grocery-store building owned by Nave & McCord. The edifice was supposed to be one of the strongest in the city, but without premonition it fell, burying in its ruins twelve persons, seven of whom were taken out dead when the Doctor communicated with the *Nebraskian.*

The year 1859 was probably the most prolific of newspapers of any in the entire history of the Territory. It was in the early part of that year that we first began to receive news from the Rocky mountains confirming the legends of gold in paying quantities about Auraria on Cherry creek, where the city of Denver is now flourishing. Hon. A. A. Brookfield, a former mayor of Nebraska City, is noticed in the *News* of July 23, 1859, as having just returned from the gold diggings, and the editor declares that he has "brought some beautiful specimens which we have felt, seen, and handled, one to the value of $3.05 of solid gold, which looks as if it had been melted and hammered out. He has other specimens, some of quartz-bearing."

And the Nebraska City *News* of July 23, 1859, also contains a reprint from a letter of Horace Greeley. During that summer Greeley, Schuyler Colfax, and Deacon William Bross made the overland stage trip to the Pacific Coast and tarried

for some time at Denver. Greeley, writing to the New York *Tribune* on July 15 of that year, says:

"I never visited a region where physical life could be more surely prolonged or more fully enjoyed. Thousands who rush here for gold will rush away again, disappointed and disgusted, as thousands have already done; and yet the gold is in these mountains and the right men will gradually unearth it. I shall be mistaken if two millions or three millions are not taken out this year, and some ten millions in 1860, though all the time there will be, as now, a stream of rash adventurers heading away from the diggings, declaring that there is no gold there, or next to none. So it was in California and in Australia. So it must be here where the obstacles to be overcome are greater and the facilities for getting home decidedly better. All men are not fitted bv nature for gold-diggers; yet thousands will not realize this until they have been convinced of it by sore experience. . . .

"Mining is a pursuit akin to fishing and hunting and, like them, enriches the few at the cost of the many. This region is doubtless preordained to many changes of fortunes—to-day giddy with the intoxication of success, to-morrow in the valley of humiliation. One day report will be made on the Missouri by a party of disappointed gold seekers that the Rocky mountain humbug has exploded and everybody is fleeing for the States who can possibly get away. The next report will represent these diggings as yellow with gold. Neither will be true; yet each in its turn will have a certain substratum of fact for its justification."

I have ventured to quote the above from Horace Greeley's Denver correspondence, relative to mining, because it is apropos at this time of Klondike excitements which are carrying so many people to the gold fields of Alaska.

But this paper is already too far extended. It is my duty to end it. In doing so I suggest that the Nebraska State Historical Society seek biographical sketches of the early editors of the Territory and State whenever and wherever

legitimate opportunity offers the probability of securing the stories of their lives during the time of their activity in the newspaper profession. Personally, I might extend my reminiscences to volumes. But I am already constrained to importune forgiveness for the length and drouth of this desultory medley of the legends and characteristics of the early journalism of Nebraska. They are to me as attractive as paintings by the old masters are to artists who would emulate their taste, deftness of touch, and beauty of colorings. To frame and preserve an individuality which, as an advertising agent in advance of the coming of hundreds of thousands of home builders, was useful and efficient in the first settlements of Nebraska is an agreeable and pleasant duty which only living pioneers can perform.

NEWSPAPERS AND NEWSPAPER MEN OF THE TERRITORIAL PERIOD.

By Dr. George L. Miller.

Ladies and Gentlemen:

I ask your indulgence for a moment to state in advance of the paper which I shall read to you, the fact that it has been made necessary, by circumstances which I need not explain, for me to cover something of the same ground already occupied by the paper of your distinguished president.

Perhaps, in what might be called a careless effort to produce in performance a suitable acceptance of the invitation with which I was honored by the Historical Society, to record in its archives some account of a few of the newspapers and newspaper men of the Territorial period, I have been more surprised than I probably should have been if I had been more industrious at the difficulty of securing accurate data in respect to the names, characters, and lives of those whose office it was, in the formative periods of this state, to give intelligent direction to the remarkable work of the first settlement. It was not easy, and in some cases it was found impracticable, to trace the fortunes of these men in the later years, but it may be safely said that a great majority of those who printed and published, and who frequently contributed courage, strength, and sometimes an elegant and powerful style to the columns of the early newspaper, have long been slumbering in half-forgotten graves. Sad and suggestive is the thought that they were not permitted to live long enough to see the rich and abounding fruits of their ardent hopes and labors. Achievement has so far outrun the wildest dreams of the most sanguine men of those days, who assisted to lay the

foundations of the State, as to simply bewilder and amaze those who survive to tell the story of their work, to take note of the value of their services, and to do fitting honor to their memories.

The first appearance of the territorial newspaper was practically coincident with the white occupation. This occupation was, of course, almost entirely confined to the boundary marked by the great river which, now as then, is suggestive of the barbarism of which it will remain typical as long as the remote reservoirs of the Rocky mountains continue to furnish the supply of its turbid waters. It is the only survival of savagery which resists and defies subjugation at the hands of civilized man in our great state and section, and here it will remain until the fountains from which it flows in tributary streamlet, rivulet, and river shall have evaporated into wandering vapor, mist, and cloud. Only about six centers worthy of the name seemed to attract the few score of white people who came into the new land in quest of home and opportunity in 1854. These primitive foci of human hopes and endeavor began to take crude form in the middle and later months of that year, at Brownville, in Nemaha county, at Nebraska City, in Otoe county, at Plattsmouth, in Cass county, and at Bellevue, Omaha, and Florence in what was then Douglas county. In what is now the chief city of the State, as it was seen in October of that year by men still living, there were, in my own belief, not more than nine heads of families and one little girl who had decided to make homes on the site of the town which now contains more than 100,000 inhabitants. Richard Brown, its founder, and a few others camped in small cabins in Brownville. S. F. Nuckolls and J. Sterling Morton counted as many as a whole dozen of ordinary men in their own strong and strenuous personalities in Otoe's now comely capital. Col. Joseph F. Sharp, soon to be the lynx-eyed, one-eyed, but very able and dignified president of the higher branch of the territorial legislative assembly, rep-

resented a few adventurous spirits of Cass county in that body, although his real residence was in Glenwood, Iowa. Peter A. Sarpy, the gallant Indian trader, Judge Fenner Ferguson, Mr. Thomas Morton, who was merely gypsying in Bellevue, with that miraculous printing art of his, preparatory to the life-work into which it led him at Nebraska City a few months later, L. L. Bowen, and Silas A. Strickland did most of the large talking for Bellevue. Gov. Thomas B. Cuming, Acting Governor A. J. Poppleton, A. J. Hanscom, and a few more stood for the coming supremacy of Omaha, and James M. Mitchell, in the hot rivalry for Florence, fought out the contest which located the territorial capital, the supreme object of desire, at Omaha. The fight was a fierce one while it lasted, and was to a finish, Mr. Fitzsimmons residing in Omaha. But the picture would fail to be properly painted without a moment's notice of the original owners of the soil who were on the ground in person to receive the first wave of invasion of the new land by the white man, the Omaha Indians, whose gallant chief, Logan Fontanelle, was slain by the Sioux in 1855. Their familiar forms and features are recalled for mere mention. The presence of white men sobered them into a serious, silent, and sometimes sullen, demeanor, as, with stolid resignation and sad hearts, they realized that the bell was already tolling for the death of all that was so dear to them in their memories and traditions. Their mournful faces told the story of broken hearts, now that the hour had come for their final farewell to their ancient homes and hunting grounds, at the peaceful, but none the less forceful, bidding and power of that other savage, that money-getting, land-grabbing pirate, the all-conquering Anglo-Saxon, a bad brother of yours and mine, to whom the invention of gunpowder and the death-dealing machinery employed in human butchery, on land and sea, have vouchsafed to a civilization which boasts and believes in the Christian name, universal domination of the children of men. It was the

first close contact of white men with barbarism on the soil of the coming commonwealth. The shifting scenes and characters that appeared on the Nebraska stage before the curtain rose upon a community of order regulated by law were singularly strange to all who gave them life and color. Men from nearly every state in the Union, attracted by the work of Franklin Pierce and Stephen A. Douglas, came dropping in, one by one, with their various manners and speech. The refined and scholarly sons of Ohio, Michigan, and other states made up a full quota for the little army which met and mingled here with the rough-hewn denizens of the Wabash and the Ouachita on the level plane of common necessities and common purposes. There was, in truth, a general Dolly Varden assortment of the younger American manhood, led by such brilliant and controlling men as Cuming, Morton, Woolworth, Poppleton, Nuckolls, Mason, and a few more, whose business it was to make speedy conquest of the new land to civilized rule.

If apology were needed for this hurried presentment of the conditions which the newspapers and newspaper men encountered in the primitive periods of the Nebraska life, it is, I think, to be readily found in the fact that, to know what men do in planting new communities and states, we must first know what was set them to do, what they were thinking about, and what they had at heart to plan and construct out of the wild waste and chaos, moral, religious, and material, which constituted the environment on this then remote borderland forty-three years ago.

Disraeli, the elder, tells us that we are indebted to the Italians for the idea of the newspaper, and also that the first one that was ever printed appeared in Venice under the name of *gazetta,* our Anglicized gazette, derived from *gazzena,* which means a magpie, or chatterer, a name which we have much reason to pronounce befitting from our experience with the newspapers of our own time and country. But the din of this magpie has filled the civilized world

from the day of the discovery by the Venetians of what Carlyle calls "those poor bits of rag-paper with black ink on them." For, indeed, whatever be the outward form of the thing, bits of paper, as we may say, and black ink, it is the thought of man. "This London City," continued the great Scotchman, "with all its houses, palaces, steam-engines, cathedrals, and huge immeasurable traffic and tumult, what is it but a Thought, but millions of Thoughts made into one—a huge, immeasurable Spirit of a Thought embodied in brick, in iron, smoke, dust, palaces, parliaments, hackney coaches, Katherine docks, and the rest of it! Not a brick was made but some man had to think of the making of that brick." The thing we call "bits of paper with traces of black ink" is the present embodiment a Thought of man can have. And it was one of these printed *gazettas* which winged its way into Nebraska, a newspaper magpie, piping cheerful notes of enlightenment and progress, on the 28th day of July, 1854, in the form of a small, folio sheet bearing the name in bold, black type, of "THE OMAHA ARROW," the first born of Nebraska's newspaper family, singing sonorously that song of the types of which we have all heard here a full, though sometimes dismal and discordant, chorus, for more than forty years.

Not in the stately rhyme and rythm of Rudyard Kipling in that moving and majestic "Song of the English" did John W. Pattison sing in the Omaha *Arrow* of either past or present days. Happily for you, and for me, the distinguished President of this society has relieved me, in another paper, of the duty of producing notes from the overture to show the high key from which the young and prophetic warbler produced that marching melody in humble prose, to whose resistless spirit, at this day, more than one million white men, women, and children keep steady step. Mr. Morton has given an account of the *Arrow* and its editors much better than it could have been done by me, and it only remains for me to say that the Omaha *Arrow*, a small sheet,

published by J. E. Johnson, a Mormon overmuch married, who was also the proprietor of the Council Bluffs *Bugle,* and edited by John W. Pattison, a bright-minded young man who was born and died in the neighboring state of Missouri, embodied the central thought of the Carlyle philosophy into a priceless record in the newspaper history of the State. Not so very small was this neat publication, was this vigorous and lively chatterer, was this Nebraska magpie. The first copy of it, which contains twenty-four columns of closely printed matter of all sorts, including the complete text of the Kansas-Nebraska Bill, is a study full of interest and instruction. I could easily consume the time alloted to the reading of this paper in interpreting the business and personal life which is reflected in its advertising columns alone. But I must desist. It is in this phase of the first-born of Nebraska newspapers that we are again indebted to the Honorable J. Sterling Morton for a record of it, and for much more of this and other newspaper history of early days. The last copy of the Omaha *Arrow* which has been preserved, and probably the last that was ever printed, registered its own untimely end on Friday, November 12, 1854, after an active and useful life of only about ninety days. But let us not fail to be reminded that it lives, and will continue to live for many generations of men, in the embodied thought of to-day which gives us the great trans-continental railway, the trade with China and the Pacific, the miraculous development of agricultural and other industries, which the young editor outlined in the columns of the Omaha *Arrow* as with the accurate forecast of an inspired prophet.

As with the Omaha *Arrow* and other early newspapers, Mr. Morton has so covered the field, that I decide to confine myself mainly to an account of two papers in Omaha which belonged to the territorial times, the Omaha *Republican,* and the Omaha *Herald,* the first a radical organ of the Republican party, which was then in active embryo, and the other a moderate and mild, if not very modest, representative of

the Democratic party. I shall deal with them in the order of the time of their establishment, and with respect which is always due to age. But, before dealing with the *Republican,* I ask indulgence while I recur to an intimation which was intended to be conveyed in the opening of this discussion. I referred to the men who contributed the inspiration of courage, strength, and sometimes an elegant style to the columns of the early newspapers. I wish to make a few further observations upon this particular point. It is not the editor of a newspaper to whom the community in which he is commissioned to preach and teach is solely indebted for the conceded influence which he exercises upon it. That editor who fails to absorb and reflect the better thought of the superior intelligence which surrounds him is hardly worthy of the name. No man can teach wisely without being taught. No man can wisely lead who has not first learned to follow. The Omaha *Arrow* and *Nebraskian* caught much of their thought, the *Nebraskian* almost wholly, from the masterful Thomas B. Cuming, the first governor of the Territory, who graduated from a telegraph office as an operator in Keokuk, Iowa, when he was a mere boy, into national prominence, at first as an unknown contributor to the *Dispatch* of that place. It was an open secret that his brilliant pen frequently illumined the somestimes dreary columns of the *Nebraskian.* I do not need to name the man, once the editor of the Nebraska City *News,* who has for more than forty years, edited, in a broad way, pretty much all the newspapers in the State which had any sense. If he did not write their editorial opinions, he furnished with aggressive thought and speech, inspiration, which involved vigorous support and equally vigorous opposition, but which lifted the subjects of ardent debate upon the high plane of discussion out of which so much has been wrought here from the untamed elements of savagery and chaos in the lives of living men. I can say for one, and even for both, of the founders of the Omaha *Herald* that, for more than ten of the twenty-three

years of its life and work, its editor owed to the thought, the moral and intellectual support, inspiration, and approving words of J. Sterling Morton, more than to any other single agency, whatever success was achieved by his labors in the upbuilding of this state. It was that then young and untrained editor's chief ambition in the world to be able to achieve the style and power of Morton on his editorial page, which, at long intervals, be it acknowledged, was decorated and dignified and strengthened by it. It was, perhaps, the most self-assuring of all that doubting and self-distrusting period of the Omaha editor's newspaper life, and it gave him the greatest joy, when rival newspapers would insist that this, that, and the other article, which he had surely written himself, were vociferously attributed to "Morton." In the newspaper, in public speech, and pamphlet, in essays, in historical labors which find enduring record in the archives of this society, he has been editing this state and section during a long and conspicuous life, on lines of enlightened progress and development. Called to the cabinet of one of the most illustrious of American presidents, he has crowned a life of respect and honor with an educational service in which he has been editing statesmen for years in administrative wisdom and economy, by both precept and example, and millions of farmers to new methods of soil-culture which are already bearing fruit in the state and section which he loves so well. Nor are these mere idle compliments, coined for a passing occasion, or for transient effect. I desire to improve the only opportunity that may ever be afforded me to place my own candid personal estimate of Mr. Morton's work and worth over my own humble name, which is among the least of his contemporaries and coadjutors.

The Nebraska *Republican* was established by E. F. Schneider and H. J. Brown. Its first issue appeared under the auspices of these men, May 5, 1858. I have no record or remembrance of them personally. My impression is that they were practical printers. It took the name of its party

which was just rising upon the ruins of its parent, the old Whig party of honorable name. The paper was soon sold to Dr. G. C. Monell who owned and gave it vigorous life until 1859. Dr. Monell was a man of strong character, intelligence, and cultivated mind. He hailed from Newburgh, New York. As a writer, he added polish to vigor, and clear statement to a comprehensive grasp in discussion. A natural acerbity of temper and a cynical tendency gave a keen edge to his pen, and I think he may be fairly classed with the ablest of the sixteen editors who graced the columns of the *Republican* during the thirty-two years of its existence.

The *Republican* was bought, and owned, and edited by E. D. Webster, August 15, 1859, who parted with it two years later, viz., September 26, 1861, to E. B. Taylor and his brother-in-law, E. A. McClure.

Mr. Webster is one of the best remembered of the early editors of the *Republican.* I have no means of writing with accuracy of his life and work. I shall speak of him as I remember him, a small, black-haired, brown-skinned man, of that nervous-bilious temperament which made him bright, alert, aggressive, and interesting. To political enemies he was as gall and wormwood in his paper, and to those he liked as genial as a girl, in private life. He came to Omaha from Albany, New York, on the recommendation of Thurlow Weed who, as we all know, was the political author and finisher of William H. Seward as a public man, and a great and powerful leader of the old Whig and the then Republican parties. He was Mr. Weed's protegé, personal and political. As a writer he was sharp, short, and decisive. He had a crisp style, and was not at all times polite in dealing with adversaries. He was neither a prohibitionist nor a teetotaller in his habits, which were, in the better sense, convivial. His political methods were those of Mr. Weed, contracted by a great lack of Mr. Weed's remarkable power as the editor of the Albany *Journal,* and as the autocrat of the old Whig party of New York and the nation for thirty years.

Mr. Webster's ability as a writer was not marked by any considerable strength. In party management he was aided by a certain shrewdness and cunning. Perhaps his conscience was as keen as anybody's, in the then existing order in Omaha and the Territory, but it did not arrest attention by any violent exercise in the politics of the time. I speak of Mr. Webster's political conscience, of course, exclusively. He succeeded in keeping men of his own party by the ears, and bred faction in the new party with marked success. He was a good hater, and had more pluck than prudence in fighting his *Republican* enemies which included such men as our own Thayer and his predecessor, Dr. Monell. Mr. Webster, as we have seen, continued with the *Republican* only about two years when, at the outbreak of the Civil War, he was called to Washington at the instance of his old friend and master, Mr. Weed, to occupy the honorable and delicate and responsible place of confidential secretary to William H. Seward. I saw him during those stormy periods in the discharge of his duties, and when one would hardly have known him as the same *Republican* Webster, so studiously dressed and dignified had he become. In the midst of many temptations, he acquitted himself in his place with credit and ability. It was E. D. Webster who was entrusted with the delivery of the order for the release of Mason and Slidell, who had been seized by Capt. Wilkes and the *San Jacinto* from a British ship while on their way as ambassadors to England and France from the government of the Confederate States. Had he been a less trustworthy man, such was the strain pending the action of the President of expected war with England in that case, he might have put millions of Wall Street money in his poor purse in a single day by the betrayal of one of the greatest state secrets that was ever confided to a private citizen. Mr. Webster returned to the state of his earliest love after the war, and engaged in stock-raising at North Platte, and afterwards in the Republican valley, where, in the meridian of his manhood, he died a few

years ago, regretted by all who knew what a really kind and generous spirit he was in fact.

E. B. Taylor, the next of the honorable sixteen editors of the paper, was a native of Ohio. He was, perhaps, the ablest of all when estimated in the double character of editor of the paper and leader of his party. I would not willingly underestimate his ability as a writer. I had abundant reason to know that he was never weak, that he was sometimes strong, and that in the daily bouts with contemporaries, he was entirely able to take care of himself. I do not remember that he was given to the discussion of principles very much. Trained in the Ohio school of Whig politics, he was purely a party editor. Perhaps this was largely due to the exciting questions that brought on impending war. E. B. Taylor did not read books very much, but he read men with keen judgment, and was alive to every phase of current events and affairs. He was a kindly man, socially. He arose from the printer's "case," as did Greeley and Weed, and many more of the newspaper immortals, to the editorial chair, and he had the rare faculty of walking up to a printing case and setting up his editorials without the mediation of "copy." Mr. Taylor was the recognized leader of his party in Omaha and the Territory in many ways even after he sold his interest in the *Republican* to Mr. St. A. D. Balcombe, and was rewarded by appointment as Superintendent of the Omaha tribe of Indians which was then the best office in the Territory. During his editorial career he was supported by Mr. E. A. McClure as the practical manager of the *Republican's* business, who I am glad to say, is still with us. Mr. Taylor died in Omaha in 1872, at the age of fifty-two years, deeply regretted by all who knew him in his personal life to be a kind husband and father, a strong character and citizen, and a loyal friend.

In 1865, Maj. H. H. Heath, a volunteer officer of the Union army stationed at, and commanding the post of Ft. Kearney, purchased an interest in the *Republican* and be-

came a writer on it, if not its editor. I knew Major Heath very well. He was not strong in any sense, but he was a man of education, a generous friend, and had the charm of polished manners. Major Heath was afterwards sent to a consulate in Peru, where he died, and where his remains repose.

April of the year 1866 brought another man and character in the person of St. A. D. Balcombe, who purchased a half interest in the *Republican* and became its business manager. If I did not expect him to be present in person at this gathering, I should certainly say of him that in practical judgment, sound intelligence, and force of character he was the strongest man in those years who was ever connected with the Omaha *Republican*. He was the man, I have forgotten to mention before, who changed the name of the paper from Nebraska *Republican* to Omaha *Republican,* indicating the spirit which afterwards, and during a long and influential life, made him a loyal and courageous advocate of the material interests of Omaha. I think Mr. Balcombe is a native of New York, but he came to us from Minnesota where, in the town of Winona, he developed into a prominent citizen, became a member of the legislature of the state, and was honored with the appointment of Superintendent of the Winnebago and Omaha tribes of Indians. When Mr. Taylor succeeded him in that office, he became the sole proprietor of the *Republican,* and likewise, for much of the five subsequent years, its leading editor. For a man without training in editorial work, and with no pretensions to superior fitness for his new calling, it shall be said that St. A. D. Balcombe was strong enough to raise, instead of being weak enough to lower, the standard of its editorial columns in the discussion of the stirring questions of the times. He differed from some of his predecessors and successors in the chair by knowing what he wanted to say, and by commanding a plain and vigorous vocabulary in which to say it. In the remarkable growth of Omaha from a ragged, unpaved, and

unkempt country village into a semi-metropolitan city, Mr. Balcombe was entrusted by his fellow-citizens with the responsibility of directing its public improvements as Chairman of the Board of Public Works. There will be no dissent in his home city from the statement that, in the discharge of the trying duties of that office, his administration was marked by firmness, integrity, intelligence, and remarkable efficiency. During this part of the life of the *Republican*, Hon. John Taffe, afterwards serving the people two terms in Congress, was among the editors of the paper. Mr. Taffe was a lawyer by profession, I think. He was a strong writer, venomous in tone and temper towards political opponents, a strong partisan, and was much esteemed by his friends. He died many years ago in the maturity of his manhood. On January 21, 1871, Waldo M. Potter, of New York, an excellent man, a thoroughly trained and able writer and journalist, purchased a half interest in the paper, but did not remain with it long. The *Tribune* had been started in 1870 by discontented Republicans, with Mr. C. B. Thomas as its editor, a New England gentleman of scholarly acquirements and rare ability as a writer of polished and forceful English. His apprenticeship had been served on the Worcester *Spy* of Massachusetts, and he came to our newspaper life with the endorsement of Mr. Bowles of the Springfield *Republican*. The *Tribune* was started in January, 1870, and was absorbed by the *Republican* on June 11, 1871, by consolidation, Mr. Thomas disappearing from the Omaha life at about that time. I never knew what became of him.

Mr. C. B. Thomas was actually brought here by Mr. Edward Rosewater during the peculiar gestation which gave birth to the Omaha *Bee*, who had already projected and named the coming new daily paper. He hailed from Duxbury, Massachusetts. Mr. Thomas was engaged to write for the new *Tribune*, and a prospectus was published giving a full statement of the greatness of the great coming editor from New England. But, for some reason not known to

this deponent, Mr. Thomas failed to arrive until the *Bee* appeared on the scene and Mr. Rosewater had been installed as its editor. The New Englander, when he did arrive, carried the scheme for the *Tribune* into another control. It led a brilliant but short life. Mr. Thomas was probably what lovers of the ornate in style would call the best editorial writer who was ever among us. My own opinion was, and is, that his plain fault was the sacrifice of strength, which lies in clearness, to manifest efforts at what is called fine writing. This, I take leave to say, and as the New York *Sun* demonstrates, is not the best style for editorial writing.

In April, 1877, C. E. Yost secured a controlling interest in the *Republican,* and afterwards Mr. Fred Nye, of Fremont origin and memory, was associated with Mr. Yost in the ownership of the entire plant. Mr. Nye was the editor, and Mr. Yost the business manager, who brought to the paper one of the most capable and worthy of men. Mr. Nye is in Chicago. He is a versatile and able writer. Mr. Yost is now at the head of the telephone company of Omaha, where he has long resided as a citizen of the highest personal character.

In 1886, Yost and Nye sold the paper to S. P. Rounds, formerly of Chicago, and Cadet Taylor. The death of Mr. Rounds soon after actually destroyed the property, but it brought to Omaha Mr. O. H. Rothaker, whose reputation had preceded him through his great talents as a writer as displayed on the Denver press. In the style of slashing and murderous invective I never knew the equal of O. H. Rothaker. But I have inadvertently omitted mention in their proper order of such editors of the *Republican* as George W. Frost, who was a clergyman by education and profession, B. H. Barrows, the delightful ex-consul to Dublin, who is still with us, Chauncey Wiltse, and D. C. Brooks. Mr. Frost died in Omaha many years ago. Mr. Wiltse is no more, but Mr. Brooks is still among us, I trust, in his usual vigor of health and mind. He was, perhaps, as an all-round and every day writer, scholarly, clear, and strong, as able a man

as was ever on the Omaha *Republican.* He was highly educated, he was logical, liberal, and tolerant, and always a respectable and high-minded gentleman. The *Republican* went into the hands of a receiver in 1888. Receiver Yost managed the plant until December, 1889, when it was sold by him to Fred Nye and F. B. Johnson. Nye & Johnson sold the paper to J. C. Wilcox, in 1890, upon whose hands, after a long and useful, but checkered life, it died the death that knows no wakening.

The death of the tuberculous Omaha *Nebraskian* in October, 1865, marked the birth of the The Omaha Daily *Herald.* As chief accoucher, I am able and willing to say that it was a very weak and puling infant. I may be allowed to add that it was born of a poor but reasonably respectable parentage, Daniel W. Carpenter and George L. Miller being solely responsible for its existence. Mr. Carpenter was an old expert in the practice of the art preservative of all arts, and had for years been honorably connected with the Council Bluffs *Bugle.* To the best of my knowledge and remembrance, Mr. Carpenter conceived the idea of the new paper. It began its twenty-three years of life under the most primitive conditions. Facilities for publishing consisted of a small hand press and a few cases of type, and the "circulation" at the start, I think, was represented by about fifty-three actual subscribers. George L. Miller was the editor, Mr. Carpenter the business manager, and both did something to get up what was then new to Omaha, a large spread of local news of that day. For the first few days Mr. Carpenter kept the books on slips of paper in a side pocket of his coat, which sometimes did duty as a cash-drawer with very little cash to cause him anxiety. Mr. John S. Briggs become part proprietor, buying out Mr. Carpenter; and within a short time thereafter Mr. Lyman Richardson, buying the Briggs interest, in turn, the firm became that of Miller & Richardson, Mr. Richardson continuing as its business manager, Mr. Miller doing duty as the principal editorial writer for all those years.

Mr. Richardson, a citizen of Omaha now, of the highest character and standing, who has resided there for forty-three years, did his whole part in bringing to the *Herald* whatever success attended its labors. The paper was sold to Hon. John A. McShane in 1888, and was subsequently sold by him to Mr. G. M. Hitchcock. The last of the editors of the old *Herald* was Frank Morrissey who, previous to the sale to Mr. McShane, had been associate editor of the paper. Mr. Morrissey was an educated man and an able writer. At his best, few in these parts equaled, and still fewer surpassed him in newspaper argument or controversy. He was especially strong upon economic questions. With as kind a heart as ever beat in human bosom, true to the Irish descent, he was impulsive and impetuous, and not always safe in adhering to a wise conduct of the paper. Mr. Morrissey was a native of Iowa and died in Omaha a few years ago. The *Herald* was merged into the *Evening World* by Mr. Hitchcock under the process of hyphenation, which leaves it with the name of the *World-Herald.* It did not die, exactly, which, for several reasons, is to be deeply regretted, but was, and is, somewhat painfully suffocated in more ways than I care to enumerate.

I am fully conscious of how inadequate this paper is in respect to the large subject which it has undertaken to discuss. Its narrow scope has made it impracticable to deal with all of those veterans of the press of the territorial times who did so much to mould into form and lead into a marvelous development this great community, which occupies so proud a place in the sisterhood of the Union. Furnas, the father of Nebraska horticulture, and the life-long promoter of our agricultural advancement, with his own *Advertiser,* and otherwise, has won for himself enduring honor, and a name which will never be erased from the written annals of the State; Charles H. Gere, the gentleman, the scholar, the able and finished writer, who has given the strength of permanence and wide influence to the *State Journal;* J. D. Cal-

houn, the large-minded and generous-hearted Alabamian, of the Brownville *Democrat,* and, later, of the Lincoln *Herald,* now at his old work in Florida; Theodore H. Robertson, for long the editorial backbone of the Omaha *Nebraskian,* in which he fought the battles of his party with a ready and resolute pen; Smails, the vigorous and strenuous preacher of Nebraska's faith in herself, of the Fremont *Herald,*—these, and other stalwarts of the territorial newspaper, can only be named here—named with praise and honor wherever mentioned—because of the prescribed limits of this review. But they belong none the less to a high place on that roll of honor which shall in future times be duly cherished by a grateful people in recognition of their inestimable services in the upbuilding of this imperial commonwealth.

PIONEER JOURNALISM.

Presented to the Historical Society in session January 11, 1898.
Written by Mr. D. W. Carpenter.

Realism in pioneer journalism can only be contemplated by those who have not been engaged in the publication of a newspaper in a new and sparsely settled country, and then only in a very crude way. There are a great many difficulties to be encountered and surmounted in a newspaper enterprise that are only known to those who have been through the trying ordeal, who have been acting and working participants in the establishment of a newspaper in a country where the inhabitants were "few and far between," to patronize your efforts.

The idea to start a newspaper on every crossroads or section of land is truly a brilliant thought by those who have no conception of the great amount of labor to be performed, the miscellaneous worry and tribulation. There are a thousand details that never enter the head of the amateur proprietor, unless he is a thorough and practical man from top to bottom. If there is any business enterprise that requires close and devoted attention and mathematical precision, that business is the establishment of a newspaper in a sparsely settled country.

The establishment of a great metropolitan paper, in a large and progressive city, with a large and unlimited capital behind it, with all facilities for gathering and disseminating news, is not a hazardous undertaking—you have sharp competition, it is true, but the best paper will always win out. Not so in launching a still-born, so to speak, at the crossroads. There you have nothing to get and all to lose.

But to draw this realism down to your understanding I

will undertake to demonstrate by a figurative illustration of what has transpired a number of times over, under the observation of the writer in Nebraska since he has been a squatter sovereign, now since October, 1854.

A few enterprising pioneers get together, and arrive at the conclusion that right here (naming some point) is to rise a Mighty City, visionary or otherwise, and the more they think of it the more enthusiastic they become, until their minds become infatuated that there are Millions in it. But the next question that perplexes the town-owners is how to "boom the town." Why, of course we must have a newspaper. But here comes the rub. How are we to get one? There is not money enough among the stockholders, singly or collectively, to purchase a printing outfit, but that question is soon solved, for soon you will see a very beautifully executed lithograph of a new town in Nebraska—it looks grand and magnificent on paper—it is to be the great commercial and railroad center of the State. Fine, very fine. It catches the eye of the eastern investor in western lots. A few suckers invest in western "gold bricks," and at last a sufficient amount of money is raised to purchase the necessary equipment for a small printing office. A college-bred tenderfoot drops in just in time to secure the editorship. What he don't know about running a printing office is not worth knowing; he is young and ambitious, he desires to distinguish himself —but all the time keeping in sight the bull's eye of an office; wishes to become a great party leader—that is his golden ideal dream.

Finally, after a time, the new born paper is launched upon an admiring public of a few dozen citizens, with a flaming introductory, giving a graphic description of the future of the great metropolis, its enterprising and liberal minded citizens, great chances to invest in city lots (on paper) that will increase to untold wealth, and all that sort of tommy-rot. But the paper is a great success—everybody is overjoyed and are singing the praises of the new Editor. He is the high

muck-a-muck, and is already slated for congressional honors; born in the bloom of morning. In fact, nothing is too good for him.

For a few weeks all goes on well, high hopes and great ambition—but, mark you, by and by a great tidal wave comes sweeping along and disturbs this great engine of intelligence—the pay rolls are due and unpaid, the exchequer is gone, credit gone, and, to use a western phrase, "the thing is busted." The next week the editor sums up his case in a valedictory, and says the paper don't pay, it is not supported, and for the present is discontinued. That ends the first chapter.

Now any damphool, who has got a thimbleful of brains ought to have known that would be the inevitable result of that enterprise, in a town that was only mythical at best. But the ambition of the young man who desired to become a distinguished editor, party leader, and a statesman were soon satisfied, and his crown of glory dismantled; and, as soon as he could pull himself together, he quietly packed his grip and took the first cow path for other fields of glory and renown. He is satisfied with the newspaper business.

But the end is not yet. Along comes another ambitious fellow who thinks he knows a little more about the printing business than the other "feller," and so he purchases a "gold brick." They say lightning never strikes twice in the same place, but it does all the same. The same routine is gone through with, and in a very short time another aspiration is bankrupted. And so it goes, and will go, as long as misguided ambition can be found ready to pick up a live wire.

I have not intended in these few scattering thoughts to discourage any one who has the nerve and the ambition from embarking in journalism, but, on the contrary, I like to see pluck, ability, and practical knowledge succeed. But I tell you, my friends, you have got to have good staying qualities and lots of practical experience, with a little money thrown in, to make journalism a success in a new country.

COMMUNICATION OF HADLEY D. JOHNSON.

Salt Lake City Utah,

To the President and Members of the Nebraska Historical Society:

GENTLEMEN—I have lately received two letters from Mr. J. A. Barrett, your librarian, in each of which I am asked to attend the annual meeting of the Society on the 11th day of January and to relate some reminiscences of the early days in Nebraska, or, if I should not be able to attend in person, I am requested to write and forward some recollections of those times to be read at such meeting.

Having found it to be impracticable for me to attend in person, I so notified Mr. Barrett and suggested that I would probably comply with the alternative request.

I assure you that it was with much regret that I was compelled to make the announcement that I could not attend in person, for the reason that I would be exceedingly glad to meet such of your members as may be present, and especially those whom I have known in the past, and not less pleased to form the acquaintance of those whom I do not know.

Inasmuch as I have already furnished the Society an account of events preceding the organization of the Territory (see vol. 2 of Reports of the Society), and from the fact that the histories of Omaha and Nebraska have heretofore been published, it is not likely that I shall be able to relate many incidents which will be either new or interesting to you.

HADLEY D. JOHNSON.

December 31, 1897.

PUBLIC PRINTER.

At the second session of the legislature of Nebraska, in 1855–56, I was elected territorial printer, and, not being in possession of a plant with which to do the incidental printing during the session, I purchased from Col. Peter A. Sarpy, the

Indian trader at Bellevue, the press and other material upon which the *Palladium* and the *"Gazette"* had been printed. So soon as this plant was hauled to Omaha I commenced to do the printing of bills, resolutions, and other work, and also commenced the publication of the "Nebraska *Democrat,"* but discontinued its publication temporarily during the time I was absent in the East (at Indianapolis) where I superintended the printing of the laws and journals of the house and council.

The publication of the *Democrat,* however, was afterward resumed and its columns devoted to the advocacy of the claims of Buchanan to the presidency. When the election was over the publication of that paper was discontinued and the press and materials afterwards sold to Mr. S. M. Owens, taken to Florence, where the *Courier* was printed for a short time (I have forgotten the name of its editor). The plant, I think, was removed elsewhere and some other newspaper born, to bloom for a day and then to die,—"unwept, unhonored, and unsung."

Might it not be well for the Nebraska Historical Society to hunt up that old pioneer press and retain it as a memento of the first days of the then territory but present magnificent state, Nebraska?

JOSEPH E. JOHNSON.

Inasmuch as Mr. Joseph Ellis Johnson, late editor and publisher of the Council Bluffs *Bugle,* and various other publications (a list of which he himself has furnished), took a somewhat prominent part in the initiatory movements to buy out the Indians and open for white settlement a portion of the wilds of Nebraska, and subsequently took an active part in the development of the same, I think it proper that he should receive deserved recognition as a pioneer of the state in the future history of Nebraska. It is true that he has been noticed by my old friend, Hon. Harrison Johnson, in his history of Nebraska. Mr. Alfred Sorenson, in his history

of Omaha, has also given Mr. Johnson considerable prominence, and I believe that I gave him credit for good work for Nebraska in a former communication to the Society. I take occasion to state, however, that Mr. Sorenson in his notice of the Omaha *Arrow* gave less credit than was deserved to Mr. Johnson.

Joseph E. Johnson was the owner, editor, and publisher of the *Arrow,* and J. M. Pattison the reporter and assistant editor. Mr. Johnson was a pioneer, a rustler, and a man of business. Pattison was a popular young man and a tender-foot who retired to older parts after a short stay in new Nebraska. Johnson wrote the "dream" (spoken of by Sorenson as Pattison's effort). He foresaw, as we all did in those days, a brilliant future for Nebraska, as well as other realities which are not dreams, but facts, such as railroads without number, etc.

THE BATTLE AT FORT CALHOUN.

One of the most unfortunate events attending the settlement of the territory occurred at Fort Calhoun in 1855. I do not believe, although the matter has been canvassed and talked about for more than forty years, that the true cause of the trouble has ever been understood. Let me claim indulgence for a brief statement of the facts which I, as a spectator, know them to be.

In 1855, Sherman Goss, a farmer living in Iowa opposite the site of old Fort Calhoun, and his son John, took possession of the site, intending to lay off a town, and invited me to join them, which I did, and employed a kind hearted and competent surveyor, Col. Lorin Miller (father of my old friend, Dr. G. L. Miller), to survey and plat the town, which he accomplished, and did it well.

In order to hold possession, I caused to be built on the site a log cabin, and permitted Dr. William Moore to occupy it with his family until he could erect a house on his own claim on Moore's creek. After his removal, and before I

could put another party in possession, one Charles Davis moved his family into the house and made known his intention to jump the town site, and, when asked to do so, refused to leave the place, and proceeded to fortify the same, and, expecting to be ousted, collected a number of men to come to his defense, and a number of persons collected at the place hoping by a compromise to induce him to leave, while I, being outside of the building, talking with P. C. Sullivan (late speaker of the house of representatives), with a view, as he was a friend and advisor of Davis, of coming to some agreement. While we were in conversation at one corner of the building, out of reach of balls from the door, some parties on the inside opened fire on our party (which had formed in a semi-circle in front of the house), instantly killing Sherman Goss and breaking an arm of H. C. Purple. Other members of the party, being thus exposed, retreated, leaving Goss dead on the ground and Sullivan and myself still outside, but out of reach of the guns of the inside party.

My party having dispersed, I said to Sullivan, "Now I will go to my team, and as I go don't let those men shoot me." However, so soon as I had started and had walked some twenty feet, firing on me commenced and continued as I walked until I think all guns were unloaded. At the time I did not believe that they intended to kill, but merely to frighten and cause me to run, but it was afterwards given out that it was intended to kill the Gosses and myself, thus giving the jumper a clear field. I will say that, but for my objection, the citizens of the surrounding country would certainly have made war on the jumpers, but I would not consent. It was thus that I "speculated" in Fort Calhoun city lots. I lost all money invested, and quit-claimed one-half my interest to the widow of Goss and the other half to Mr. Purple.

In 1864, while at Boise City, Idaho, Charles Davis and another man with their families camped on the townsite at that new town, and it soon became suspected that their designs

were to jump some lots. Learning these facts I said to Davis, "The people here think you are on the jump again. If you and your friend desire to stop here and build houses, I will give each of you a lot, as I own some lots and am agent for others, but there must be no attempts to jump lots here—these people will not stand it." They did not accept any lots, but left very soon. I never saw him afterwards. Pat Sullivan died in Washington Territory while making a speech in court.

AT OLD FORT KEARNEY.

When it was decided by our friends that I must go to Washington and make the attempt to get the government to buy out the Indians, open the Nebraska prairies to settlement, and to organize a territorial government, it was thought that, as I then resided in Iowa, it would be better for me to claim at least a temporary residence west of the Missouri river, and, as the whites were not permitted to live in Indian territory, except at military posts, I decided that old Fort Kearney should be nominally, at least, my residence.

To carry out this plan I mounted my horse and made my way to Sidney, Fremont county, where I met Hon. A. A. Bradford and Mr. Charles W. Pierce, who accompanied me to Fort Kearney by way of a point at which the town of Hamburg was afterwards located. At this place we located (in our minds) the town and I believe the junction of two railroads.

Leaving this point, we wended our way across the wide expanse of rich bottom land to a place some distance south of the Fort, where a flat boat was owned and managed by a gentleman well known then, but whose name I have forgotten. Crossing the river on this boat we took the emigrant road which brought us to near the Fort, which place, if I remember, we reached during the night—weary, wet, and hungry.

While at the Fort, under advice, I laid claim to 160 acres of land lying south and adjoining the old government lime

kiln. It was not staked out, but it was understood to be my claim, and it was my intention to make my house there if we succeeded in opening the country to settlement. However, in this matter I was doomed to disappointment. Some person during my absence at Washington jumped my claim, which, I have no doubt, was one reason why I failed to become a citizen of Nebraska City and a near neighbor to my old friend, J. Sterling Morton, who was then a young man.

On my return from Washington, finding my claim taken by another, I looked over the ground at Omaha where I found that everything thought to be valuable had been "gobbled up," and I was again relegated to the outer world, and only secured a foothold by the purchase of a claim three miles from the town. I will mention here a fact which may serve to show how appreciative some people are of the disinterested acts of some other fellow.

I had neglected my business, spent all the money I had and could borrow (and had been assisted by my neighbors in the sum of $46), had obtained the consent of the Indian department for the Omaha Town Company to take possession of the site, and that company, though giving away lots of great value to non-residents, never offered to give or sell any property to me, and when I wanted a lot I was obliged to pay the price fixed on it by the company; hence, if I did all that I accomplished merely for personal profit, I failed most signally.

THE FIRST STAGE LINE.

Mr. John B. Bennett, who lived at Nebraska City, obtained a contract to transport the U. S. mail in coaches from that place to Niobrara via Omaha, etc. He turned over to me so much of the line as was north of the Platte river, and delivered the mail to me on the north side of the river at or near where the town of La Platte has since been built. The mail was transported across the river in a skiff or canoe where my stage driver would receive it. I had several sta-

tions on the route. I do not remember whether any post-office had been established any further north than Sioux City, though possibly there was one a few miles beyond. While running this line I was obliged to obtain my grain to feed my stock at Omaha, paying usually three cents per pound for oats and carry sufficient each trip to feed the stock on the line. During a part of the time there was a good deal of travel from which I derived some profit.

During the time I was thus engaged, I had the honor as well as pleasure of having as a passenger from Omaha to Nebraska City the distinguished civilian and politician, Governor Orr, of the state of South Carolina. On this occasion I became a stage driver, and, as his "Jehu," drove him down to the Platte river, occupying my private carriage drawn by my matched horses.

Well! Well! How times do change! The Governor is no more, his southern confederacy has become an institution of the past; my horses are dead; my carriage went up in the smoke of a burning hay stack, but I, who ought long since to have been gathered to my fathers, remain to record these simple tales.

Here let me pause and inquire, Why am I allowed to remain "a cumberer of the ground?" Looking over the past and seeing a list of names of men who, with me, were engaged in the laudable business of "state building," and observing how much so many of them have accomplished, and are now alive only in the hearts of the people, while I, who am alive and in the flesh, have accomplished so little, often wonder why it is so.

And now, gentlemen, having thus consumed your time in rehearsing these, perhaps uninteresting, stories of the past, I bid you adieu. Should life and a degree of health permit, I may possibly meet with you on some future occasion, perhaps at your great exposition, but the infirmities of a life protracted far beyond the allotted three score and ten, even

unto the fourth decade, it is hardly probable that I shall live another year.

Good night, and God bless you all and our beautiful Nebraska.

HADLEY D. JOHNSON.

JOSEPH L. SHARP.

The President of the Society, Mr. Morton, gave the following item during the evening of January 11, 1898:

It occurs to me to state that the men who took an active part in the early journalism of Nebraska were not, as a rule, men of college education. Nevertheless, they were men of keen satire and humor. I wish to call to your minds an anecdote relative to Mr. Joseph L. Sharp and Mr. Thomas Mitchell. Mr. Sharp was the editor of a newspaper. Before coming to Nebraska he had been a member of the legislatures of Illinois and Iowa, and finally had been chosen a member of the Nebraska legislature. There was great rivalry between Mr. Mitchell and Mr. Sharp as to which should be president of the first territorial legislature.

Mr. Sharp was a very peculiar looking man; was tall and gaunt, and had been afflicted with the smallpox, which had left strange looking marks on his face. His face looked as though it had been scalded. As to his facial expression, it was always askew. However, he won in the contest between himself and Mr. Mitchell. Sometime after, two strangers were standing near Mr. Mitchell's seat listening to Mr. Sharp's decisions, which were always to the point. One of the strangers said, "What an awfully homely man! But he decides pretty well. His knowledge of parliamentary law is good." "Yes," said the other, "But he looks like the devil himself." Mr. Mitchell, who had overheard the conversation, said, "Yes, he looks pretty bad now; but you ought to have seen him before he had the smallpox."

A. J. HANSCOM.

R. W. Furnas gave the following concerning A. J. Hanscom.

Being called upon to take part in this discussion to-night reminds me of an anecdote about A. J. Hanscom. In the early territorial days he was a candidate for some office, I think for a member of the legislature. He was around hunting friends, and engaged a man who was to support him, as he supposed, upon simply a promise that "he guessed he would support him." After the election was over, Mr. Hanscom found that he had not supported him, and when Mr. Hanscom asked him to explain replied, "Hanscom, I told you that I guessed I would support you, and I was always a very poor guesser." Your secretary solicited me some time ago to take part in this program, and I replied that "I guessed I would," and the facts prove that I, too, was a very poor guesser. I have not had time to prepare anything for this occasion. The papers by Mr. Morton and Dr. Miller have brought to me recollections of the early struggles of the pioneer journalists of Nebraska. I remember that on the sixth day of April, 1856, I stepped from the steamboat J. H. Lucas, which has already been mentioned here to-night. I had but 18¾ cents in my pocket. There were but three or four log houses in Brownville at that time. I undertook the publication of a newspaper there, and, notwithstanding all the annoyances and discouragements I had to contend with, those were the happiest days I think I have ever enjoyed in Nebraska. Not that the remuneration was much. One instance I remember very well. One man had subscribed for twenty-five copies of the paper. When I asked him to pay up he said, "Why, you didn't expect me to pay for twenty-five copies, did you? I simply subscribed to encourage the paper!"

REMINISCENCES OF TERRITORIAL DAYS.

Written by Dr F. Renner for the session of the Historical Society on January 11, 1888.

In the winter of 1860–61, some twenty prominent German-American citizens of Nebraska City held a series of meetings for the purpose of ushering into existence a weekly paper to be published in the German language, which finally took shape by the adoption of a constitution and by-laws, the subscription of one hundred shares at $5 each to the Nebraska *Zeitungs Gesellschaft* (Journal or Gazette Company), and the election of officers.

It can not be truthfully asserted that the motives of the shareholders were either personal, clannish, local, or political, for none of them was a real estate agent, or owned more town lots than he needed for his business, his residence, and perhaps a garden spot. None of them was a candidate for office or had a friend that was, but they considered it the proper moment to circulate everywhere the glad tidings of a new, extensive territory where the best land under the sun could be had for the government price of $1.25 an acre, and where the great need was farmers, laborers, mechanics, capitalists, and railroads, or other means of rapid transportation, in order to make it a desirable home for any white man.

As the majority of stockholders was made up of democrats, the constitution of the *Zeitungs* company provided that the embryo paper should be "neutral in politics," that it should "have nothing to do with questions of slavery, state policy, and sectarian creeds which agitate and convulse the Union, separate men from each other, and array them in antagonistic forces and factions."

However, the old proverb proved true: "Man proposes, but God disposes." Little did we think in March, 1861, that

in a few weeks we would be afflicted with the miseries of the greatest civil war the world ever saw, that the old party line would be wiped out, and that we all would stand bound together in common and unceasing effort for the salvation of our common country.

By March 1, 1861, all shares were taken and paid up; hence the stockholders proceeded to the election of officers. As president, was chosen that pioneer merchant of South Nebraska, B. H. Kalkman, as largest stockholder (+1864), as treasurer Frederick Beyschlag (+1896), whose memories will forever be revered by all who have known their amiable characters and many virtues. As secretary, editor, business manager, in fact, as factotem, your humble servant and relator. No doubt I was selected for this position because several articles from my pen about Nebraska and its resources had been extensively copied by eastern newspapers of large circulation.

In accepting the position without salary and without any mental or expressed reservation, I made the grossest mistake of my life, financially speaking, for by attending exclusively to my profession I could have made considerable money; but I was completely heedless and ignorant of the endless hard work of a publisher and editor, which would absorb nearly all the time and attention of an inexperienced man.

Without much loss of time we ordered the necessary types and other material (with the exception of a press from Cincinnati), and by the courtesy of Dr. Praetorius of the *Westliche Post* in St. Louis we succeeded in securing the services of two very good printers at the rate of $15 per week and traveling expenses, who arrived just a day or two after our outfit.

By faithful and extra work, we were enabled on Thursday, April 4, 1861, to lock the forms of number 1, volume 1, of the Nebraska *Deutsche Zeitung,* and transport the same by wheelbarrow to the office of the Nebraska City *News,* where that veteran printer, Thomas Morton, had agreed to do our

press work. Thus made the first paper in Nebraska, printed in a foreign language, its appearance. It was a seven column folio, and with its new type clear through, a marvelously neat paper—our first born, you know—and nobody understood the art of printing better than Thomas Morton, although at that time, if I remember correctly, he used a hand press so old that I never saw one like it in any museum.

The "head" of the Nebraska *Deutsche Zeitung* had been ordered electrotyped in three sections, with a fourth extra section entitled "Staats," so that I could simply slip the "State" in the place of "Deutsche" as soon as Nebraska should be admitted to statehood, for we did not imagine that it would require six years of bitter political contest before Nebraska could turn the sharp corner from territorial dependency to state sovereignty, and enter the proud galaxy of fixed stars in the firmament of the American Union.

The first and most of the subsequent numbers of the *Zeitung* presumably met public expectation, as its several issues gave what little local intelligence there was; but the general news, including the latest dispatches, translated principally from the St. Joe and St. Louis papers, were gaining more interest from day to day. On the twelfth day of April, the Confederates commenced the bombardment of Ft. Sumpter; the tocsin of civil war and insurrection was sounded in every state and territory, when American hands, guided by lawlessness of treason, were reached forth here and there and everywhere to pull down the tall pillars which supported our once glorious Union. At the same time, we never lost sight of our main object, which was to induce immigration to Nebraska.

The circulation of the *Zeitung* was from the beginning, comparatively speaking, a very large one, about half a bundle, for the reason that many, especially the stockholders, subscribed for five to twenty-five copies. About 150 were regularly mailed to Europe, to-wit: Germany, Australia, Switzerland, and the German-speaking provinces Alsace and Lor-

raine, then belonging to France, the postage being two cents a copy. A goodly number of subscribers resided in the eastern states, and on our mail list was represented almost every postoffice in the settled counties. As business in Nebraska was commencing to boom, the advertising patronage was very encouraging as a general thing; but in the case of the shareholders of the *Zeitungs* company it was quite the reverse. They insisted on paying for their ads with shares instead of cash, which—as everybody ought to know—is a very necessary commodity at the start of any enterprise.

As may be expected, the private exchequer of the secretary and editor of the *Zeitungs* company was drained quite low at times by this unexpected quandary; yet, on the other hand, it gave him the satisfaction that in less than six months he had the sole and exclusive control of the whole concern, was his own boss, so to speak, and he was no longer subject to dictation in relation to "politics, religion, or previous condition of servitude."

The office of the *Zeitung* was opposite the old Fort Kearney over the old store building of Chas. Vogt, on the corner of 5th and Main Sts., who had generously offered us the capacious, but unplastered rooms free of rent. When, in pursuance of the Governor's proclamation, a company of soldiers was raised in Nebraska City, intended chiefly for the protection of Nebraska against the incursions of the secessionists, and also to impose a salutary restraint upon the Otoe Indians, who occupied a reservation hard by and might take advantage of the unsettled state of affairs to commit depredations, the place of enlistment was in the old fort. The fife and drum alternated with stirring war discourses from early morn till dusky eve for over a week. In apparent stillness and modest humility my two compositors, the devil, and myself listened composedly to the martial sound, re-bellowed by the hills around, and kept at work—still waters run deep—and what was my surprise on the morning of June 10 when both Mr. Bott and Naegele informed me that, on the previous

night, the patriotism had broken out on them, and, after laying away their composing sticks, by which they made $15 a week, they had shouldered instead the shooting sticks with bayonets affixed, presented to them by Captain Allan Blacker, who had received orders to rendezvous with his company at Omaha on the 15th of June, in order to get mustered into the service of Uncle Sam—at the rate of $13 a month.

This dose of patriotism was not exactly to my taste, but I had to grin and bear it. I said to myself with Milton, "Still bear up, and steer right onward!" I persuaded the new recruits to stay and help me get out the next issue, which they did. I telegraphed at once to St. Louis for two other comps, but with the proviso that they should be lame or otherwise disabled from military service. By next mail I received a letter from my friend, informing me that my men were on the road, one with a wooden leg and the other rather near-sighted, but that my proviso had been absolutely unnecessary, inasmuch as no able-bodied German printers, out of work, were to be found in St. Louis. All Germans there were recognizing the extent of the conflict thus forced by the slave-holders upon the nation; all were enlisted, or arming and drilling for the defence of the star-spangled banner, and none so lost to all sense of honor and integrity as to take voluntarily the part of traitors.

I had several cases afterwards, when my workmen left me in the lurch and other help could not be obtained so readily by the aid of friends and the telegraph. Some took sick suddenly, another went on irregular sprees, which was the more embarrassing, as the patent insides and stereotype plates were not invented as yet. Many times I came to the conclusion that running a newspaper was harder work than rowing a boat up-stream. A man may pull his boat slowly against the current, if he works steadily, but the publisher dare not rest, and he can not anchor. Every time a newspaper goes to press the editor has the feeling that his sheet might have contained more news; and in his business more

than in any other there is a constant danger of interruptions or obstructions, eddies and sandbars, which call for more work, for harder pulling at the oars.

More than once I was obliged to call upon the *News* or the *Press* to help me out of a difficulty by sparing me their foreman to make up my forms or a typo to set up an item or two for me that absolutely had to go into a certain issue. On such occasions I had to stand right by, as my kind volunteers understood not a word of German, in order to give the necessary directions or to dictate separately each letter, space, interpunctuation, etc. Such work required much patience from both of us, but you know that "patience is the virtue of an ass, that treads beneath his burden and is quiet." It is a fact that even during the trying war times the utmost harmony, or at least courtesy, prevailed among the newspaper fraternity in Nebraska City at least, and I take this occasion to express my thanks to the survivors and my tribute to the dead for past favors. The agreeable intercourse which existed between ourselves will form a pleasant recollection to the end of my days.

The first day of January, 1863, marked one of the most important periods in the history and development of our territory, for on that day the Homestead Law went into effect, and under its most liberal provisions *not only a citizen of the United States,* but also every person, the head of a family or over the age of twenty-one years, who had merely *declared his intention* to become such, had the right to take up a homestead of 160 acres on any public lands. It goes without saying that the *Zeitung* did its level best to spread as quickly as possible the glorious news to the farmer boys of the eastern states as well as in Europe, that millions of fertile acres of the public domain in Nebraska were lying open for selection; and, for anyone who acknowledged his intention to settle and cultivate the same permanently, there was a farm of 160 acres for the paltry sum of $14, as fees for recording and registration.

The *Zeitung* invited everybody to Nebraska, to the "land of the free, where the mighty Missouri rolls down to the sea; where a man is a man if he's willing to toil, and the humblest may gather the fruits of the soil." We considered it one of our most important duties as pioneers of a new country to advance our settlements and secure a fringe of pioneer developments along our western border. We did what we could to bring forward to Nebraska the approaching lines of immigration and press forward the advancing thousands that heretofore had stopped east of the Mississippi. From week to week the *Zeitung* brought one or more leading articles and a number of smaller but spicy items, all calculated to make an everworking, noiseless, but effective propaganda in favor of immigration to Nebraska and more especially to the South Platte land districts, in which the editor of the *Zeitung* was more or less acquainted; for in the summer months of 1857 and 1858 he had, with General Calhoun, Col. Manners, and their surveying parties, traversed the entire southern boundary line of the newly established territory, beginning at a point on the Missouri river, where the 40th parallel of north latitude crosses the same; thence west on the said parallel to the east boundary of the territory of Utah, on the summit of the Rocky mountains. On these two extended trips, and years before Colorado was created out of a part of Nebraska and Utah, I had ample opportunity to observe the rich valleys of the Republican and the Platte with their tributaries and to make a reconnaissance of the country adjacent, keeping field notes of the topography, soils, climate, healthfulness, as well as of all the resources and conditions of Nebraska.

This experience, together with the cooperation of a number of highly educated gentlemen in several counties, enabled us to carry on an active and intelligent discussion of the best locations, by describing and illustrating the different counties and settlements and their special resources in regard to various industrial and agricultural pursuits.

As the war did not terminate within twenty days, as ex-

pected after Lincoln's proclamation, but kept right on till April, 1865, we made this point quite prominent that, while other states and territories (meaning principally our neighbors of Missouri and Kansas) had been torn by internal dissensions, their soil overrun and desecrated by border ruffians, their people murdered and pillaged by roving bands of lawless marauders, guerrillas, and jayhawkers—that the people of Nebraska, guided by the counsels of wisdom and moderation, had succeeded in resisting the earliest encroachments of domestic difficulty, and that, during all this time of excitement and civil war around us, peace and good order, practical vigor, and manly observance of the laws and constitutional obligations had characterized the conduct of our Nebraska population.

In 1866 Colonel Orsemus H. Irish, who had established the *People's Press* in 1858, but sold out in 1860 to Alfred Mathias and Joseph E. Lamaster, again took charge of the *Press* as editor and publisher. In October of the same year the Colonel proposed to me a union with the *Press* and a limited partnership under the name and style of O. H. Irish & Dr. F. Renner, which relieved me from all the mechanical and office work connected with the *Deutsche Zeitung,* and I could devote all my spare time to the editorial department. At first it was the idea of Col. Irish that one-half of the paper should be published in the English and the other half in the German language, and the German portion of the paper should be increased from time to time "as the patronage received from our German fellow citizens would warrant." I had no faith in this polyglot or hermaphrodite scheme, and after half a dozen issues the Colonel had to give it up, as a majority of the Germans, as well as of Americans, wanted to pay only one-half of the subscription price, because they could not read the other half.

In politics, as well as in all other questions that did arise under the new partnership, there was a harmonious agreement. We both believed that we must trust to the patriotism

and statesmanship of that party which carried us triumphantly through the perils of the recent past; yet the *Zeitung* continued as heretofore to cultivate and promote at all times the *spirit of reconciliation* even against former leading rebels, the great advantages whereof were so clearly exemplified since the foundation and by the rapid growth of our publication.

We patiently waited for our financial success and hoped courageously that the time for the fruit of our labors to ripen would come with the admission of Nebraska to our glorious Union.

> "Hope springs eternal in the human breast;
> Man never is, but always to be blest;
> The soul, uneasy and confined from home,
> Rests and expatiates on a life to come."

On the first day of March, 1867, Nebraska was finally made a state by proclamation of President Andrew Johnson, and on the same date the name of Nebraska *Deutsche Zeitung,* as contemplated at its foundation in 1861, was transformed to Nebraska *Staats Zeitung.*

After the election of General Grant as president our partner, Col. Irish, was appointed consul to Dresden in Germany, and of course withdrew from the *Press* as well as from the *Staats Zeitung.*

I took again control of the paper until 1879, when Brown & Sons of the *Daily Press* took hold of it, but disposed of the same two years later to Jacob Beutler, Esq., a practical printer, who has added a well appointed job office and is doing a prosperous business at the old stand.

Success to the *Staats Zeitung!*

MY FIRST TRIP TO OMAHA.

Presented to the Society by W. W. Cox at the Session of the Historical Society January 11, 1899.

Indian nomenclature has given us many euphonious names, but the people have had some desperate struggles in determining the proper pronunciation of many of them.

The world had just taken a short rest after settling down upon the best way to pronounce the name of the queen city of the Lakes.

It is somewhat amusing to the younger people to know just what a time we older people had with these jaw-breaking names. We had *Chĕkago*, *Checa-go Chicăgo*, *Chi-cago*, and most every possible pronunciation except the right one. The time of our adventure, school boys and many old boys were wrestling with the beautiful name of our metropolis. The contention was for *Ŏmāhā*, *Ōmāhā*, *Ōmáhā*, *Ŏmáhā*, *Ōmähā*, and we have heard the name pronounced O-my-hog.

This was before the great *character* of the nineteenth century had yet secured a place high over all for his name in the scroll bearing the world's most illustrious names. It was long years before this great and busy city bearing his immortal name had even been dreamed of. It was long before an iron rail had been laid in all the trans-Missouri country even to the shores of the great Pacific. It was long before a shovel of dirt had been moved in preparation of the great artery of the world's commerce, the U. P. Ry. It was when millions upon millions of buffalo were roaming at will over all the region now covered with farms, towns, and cities westward of Blue river, and when there were not to exceed a half dozen cabins between Salt creek valley and Grand Island settlement. It was when but two trails crossed the land now covered by the city of Lincoln.

The principal trail led from the Great Basin (Burlington Beach) eastward to the Salt creek ford, just by the mouth of

Oak creek, thence southward and eastward till it crossed where the government court house stands; thence eastward along the line of O st. till it crossed the Antelope creek, and eastward to Weeping Water and Plattsmouth. The other trail led up and down the valley and connected the scattering settlements. All the improvements on the site of the future city were a pile of cabin logs belonging to Jacob Dawson near the corner of 9th and O, a pile of logs that were to be used by Luke Lavender in erecting his log cabin of seven gables, near the corner of 14th and O sts., and a small pile of lumber near the corner of 18th and O, in readiness for a house for Rev. J. M. Young, the founder of Lancaster colony. Just north of Oak creek and near where the U. P. track crosses the Billings branch of the B. & M., Milton Langdon and family lived.

At the Great Basin there was one log cabin that had been built by adventurers of an earlier date and abandoned. W. T. Donevan claimed to own it by right of discovery, and the writer of this paper wanted it for immediate use. Mr. Donevan wanted our fine cloth coat, so a compromise was effected. We took the cabin and Donevan took the coat. After receiving some repairs and a new coat of whitewash, it became our home.

According to our memory, there were resident of Lancaster county, as then bounded, twenty-one families. Wm. T. Donevan lived on Salt creek southward from the Basin; was on land adjoining the Asylum a little west of the Prison, and farther up lived Joel Mason, Richard Wallingford, A. J. Wallingford, Joseph Forest, Mr. Queen, Mr. Simmons, Festus Reed, and Dr. Maxwell. Down the creek lived James Morand, Michael Shea, John and Lewis Loder. On Stevens creek, east of the city, lived Wm. Shirly, and up the stream lived Judge J. D. Maine, Charles Retzloff, John Wedencamp, and Aaron Wood. On the head of the Nemaha lived a Mr. Meecham. In the territory taken from old Clay county we remember Hon. John Cadman, Mr. Etherton, J. L. Davidson,

the Peg families, and Elmer Keyes.. A little knot of republicans held at the great Salt Basin a very small county convention.. The only thing we remember of their doing was to elect your humble servant delegate to the congressional convention to be held at Omaha. "Distinguished honor, you know." We remember a few only of our distinguished fellow citizens that helped to make up that convention. Richard Wallingford, Andrew J. Wallingford, Joel Mason, Joseph Forest, and Milton Langdon were the only persons that we are certain were members. Rev. J. M. Young was present as a visitor. There was but little of the usual pull-hauling of latter day conventions there. There were but few aspirants for the honors that were to wreathe the brow of the fortunate man. We had to make no rash promises to our constituency, only that we would do all possible to help Bill Taylor down a certain prominent candidate for congressional honors.

We had the distinguished honor to represent Lancaster, Seward, York, Hamilton, and all the unexplored regions of Adams, Kearney, and westward to the sundown. It was a bright morning, August 20, 1862, while the green grass of the valley was glistening with frost, that we started via the "ramshorn route." That prince of noble men, Elder J. M. Young, was to be our escort as far as Nebraska City, where the South Platte delegates were to meet, and there take a steamer and take our chances stemming the tortuous current of "Old Muddy" to Omaha. It took near two days of old time plodding to make the distance from the Basin to Nebraska City. There were none of the beautiful villages of to-day along the weary, winding way across the hills and through the many beautiful valleys. There were but few signs of civilization except the trail we followed. Near the head of the West Nemaha there lived an old apostate Mormon who deserted his company at the time of their exodus to Salt Lake, and some miles to the eastward one of the McKee boys had built a cabin on the banks of the classic

Nemaha, not far from the site of Unadilla. Near the site of Syracuse, Mrs. McKee, a widow lady, and two of her sons had what was, at the time, considered an elegant home. They were the proud possessors of the only frame house west of the Majors farm, in all the wilderness roundabout. The ancient, eccentric, and only James Iler lived in the same immediate vicinity. A Mr. Wilson lived eight miles west of the city, on a little creek of his own naming. These comprised the only improvements on the way till we reached the far-famed farm of Alexander Majors, four miles out of the city. To the thoughtful there were many things of interest, many things to admire and to instruct. There was to me something inspiring about this "wild and woolly west." In its native grandeur these rolling hills, clothed with their waving mantle of green, very much resembled the rolling waves of old ocean. Away on yonder hill could be seen the gay antelope, sporting its white tail and cantering in a wide circle around us, trying to discover what we were after. This little animal is most bewitchingly beautiful, with head erect and white plume in the rear. So fleet of foot, so full of pranks, it was admired above all animals of the plains. Now we discover on the distant elevation, a herd of those grandly majestic elk, as they snuff danger from the breezes, and are led by a great stag whose horns make him conspicuous. The earth fairly trembles beneath their tread as they seek safety in rapid flight. Once in a while a city of prairie dogs would be seen, where much sport could be indulged in, listening to their shrill little barking. This little creature, just a size larger than the common rat, would sit by its hole, on a little mound of its own creation, and bark lustily (thousands of them would be at it all at once). When Mr. Dog concluded that you were getting too near for his safety, he would shake his tail about as quick as lightning and dart into his hole. If the dog gets crippled or killed by a shot (which is very rare), others come to the rescue and take it into the hole so quickly

that it is next to impossible to capture one dead or alive. If you can imagine how a common dog barking through a telephone would sound, then you have about the bark of the front prairie dog. An occasional jack-rabbit would jump up in front of us and try to make believe he was badly crippled, but he was playing on us "you know." Flocks of prairie chickens would frequently awaken us from our reverie. Away yonder to the right could be seen a lonely coyote, sitting on his haunches, waiting and watching. We reached the city, weary and covered with dust, but it was cheering to meet such a cordial welcome. Nebraska City had a quite prominent aspirant for congressional honors. Of course he wanted votes, and it did not take him long to learn that the "gentlemen from Lancaster" had arrived. The fat of the land was at our disposal "without money and without price," and, were we not strictly temperate, we might add that the drinks of the land were within easy reach. It is well here to note, that both party conventions were set for the same day at Omaha, so that when we "black republicans" (as our democratic friends were pleased to call us in those good old days) boarded the little steamer, we found a mixed company made up of prominent democrats and leading republicans of the South Platte country. Among the company were three aspirants for congressional honors. Wm. Taylor, of Nebraska City, was ready and anxious to be sacrificed as a republican candidate, and Judge Kinney, also of Nebraska City, desired to lead the democratic host to victory or death; and Samuel G. Dorr, of Nemaha county.

We may here note that our man Taylor got knocked out at Omaha, where the distinguished judge had an easy victory, only to get badly left at the ballot box. Some men known to fame in later days were with us that memorable night. Among the number was Hon. O. P. Mason, later a chief justice; the Sage of Arbor Lodge, our honorable President; Gov. Robert W. Furnas, editor Brownville *Advertiser;* J. H. Croxton; Hon. Samuel G. Daily, and William, his

brother; Wallace Pearman, our late and most distinguished squatter governor; Wm. E. Hill; Wm. L. Boydston; Wm. McClennan; Milton W. Reynolds, editor Nebraska City *News;* Aug. F. Harney (Ajax); Elmer S. Dundy, late judge of this Federal district; David Butler, first governor of the State; Dr. J. F. Renner, our eccentric German friend. Frequently there is a deeper, yes, deadlier, feeling of antagonism between aspiring members of the same party than can be found between members of opposing parties, and here was a case in point. There was a Peruvian of much renown and great political acumen, as my distinguished friend Morton will readily bear me witness. His name was Samuel G. Daily, and we opine that he was about the brightest edition of a daily that Nebraska has yet produced. Mr. Daily was the man that broke the democratic ice in Nebraska. It will be remembered by all old timers that the Territory was organized under democratic rule, and all officers, from governor to road supervisors, were democratic prior to 1860, when Mr. Daily contested with our honored President, Hon. J. Sterling Morton, for congressional honors. This spirited contest was carried from Nebraska to the halls of Congress, where Mr. Daily succeeded, to the discomfiture of the democratic host, who were never again able to secure a representative in Congress for thirty years from this territory or state. Mr. Daily had made a record for himself, but in doing this he had inadvertently trodden on the corns of some other good republicans, like Oliver P. Mason, T. M. Marquette, and others too numerous to mention, and they were after the Peruvian's scalp. It may be surprising to many, but it is verily true, that there were quite a goodly number of patriots in each party willing to go to Congress, although the pay was only half what it now is. Mason wanted to go. Marquette had aspirations. Phineas W. Hitchcock could have been induced to make the trip, but would not crowd his claims in deference to Dr. Monell, his father-in-law, who really wanted the

job. Wm. Taylor had the lead, however, of all in opposition to Mr. Daily.

The little river steamer on that eventful night was the scene of great political animation. Democrats were plotting against democrats, and republicans were scheming to down their political brethren. When our party boarded the steamer we found the southern clan from Nemaha, Richardson, and other extreme southern counties, already quite at home, with plans fairly well perfected, and prepared to face the "Otoe chief" Taylor with a solid front of Peruvians, ready for battle. Here were such notables as R. W. Furnas, David Butler, and the two Dailys in the one group planning for the scalp of our Otoe chief.

Taylor's men soon found a corner where such braves as Mason, Pearman, Seymour, Dr. Renner, and others, led by Taylor, were counting noses and giving each other words of encouragement to dare and do valiant service in downing the hateful Peruvian. Over in another corner might be seen the democratic worthies, Morton, Kinney, Harney, Reynolds, McLennan, Hawke, Nuckolls, and others, figuring over the vexed problem as to how they could scalp Dr. Geo. L. Miller and Editor Robertson of the ancient *Nebraskian.*

Being weary from the long march across the hills, and now weary of this pettifogging, we were induced by sheer exhaustion to retire at about midnight, little thinking that from this harmless din and clatter such horrors should meet us with the morning light.

In the small hours of the night the steamer hove-to at the Plattsmouth levee, and quite a large delegation for each convention came on board. Some were overflowing with democratic zeal, many were full of old-time republican enthusiasm, and many were well filled up with "tangle-foot."

T. M. Marquett, Dan Wheeler, Samuel Chapman, and others came on board, and among the number was a brave young army officer who was spending a little time at home on a furlough. He was warmly greeted by every acquaint-

ance, and the meeting partook of the nature of a love-feast, but suddenly the Colonel disappeared from sight. As soon as he was missed a search began, and you may, if possible, imagine the consternation when it became certain that the Colonel had fallen overboard. No pen can write it; no tongue can tell it. Just when or just how it occurred will never be known till the judgment day. The night was dark and the mournful wind was howling a sad requiem over our lost brother. To have attempted a search would have been folly. The frenzy of the hour was appalling, and we were helpless as new-born babes while one of our number was swallowed up by the great, mad river. For the time, of course, politics was lost sight of. It was sorrow and trembling, and when at early dawn our steamer reached the levee at Omaha our party looked as though a scourge of sickness had overtaken all on board.

Several of the Plattsmouth gentlemen secured the fleetest team available and hurried home with the sorrowful news. The body was found with little effort.

William D. McCord, of Plattsmouth, was commissioned major in Nebraska, 1st Reg., June 15, 1861, and promoted into the lieutenant-colonelcy, January 1, 1862. Was with the regiment at Shiloh, Gen. Thayer having command of a brigade at the time. Gen. Thayer says Col. McCord was a brave young officer. His sad taking-off created a profound impression among the people.

When our convention was called to order and a temporary organization effected, a young man, small of stature, of dark, dishevelled hair, with keen black eyes, arose and addressed the chair with a voice tremulous with deep emotions, and offered a resolution, expressing in simple yet eloquent language the deep sorrow that burthened all our hearts. This was our introduction to Hon. T. M. Marquett, and our admiration for the young man was born just then, and through the long years of our acquaintance it never grew less, but increased with the years.

Omaha was not the great city that it is to-day, and the gathering of a full complement of delegates to two territorial conventions at the same date was a matter of such importance to the little city that other business was laid aside for the time, except such as pertained to the entertainment of the hundreds of strangers.

All old timers well remember the antagonistic feeling that existed between the sections of Nebraska known as North Plate and South Platte. The good people of the south side were quite sure that every man, woman, and child on the other side of the ugly river was a sworn enemy, and many were also quite positive that all North Platte folks had horns. We are not well posted in regard to just how bad the northern friends considered us folks, only we know that jealousy was most intense on both sides, and it cropped out on every possible occasion, and especially every political convention. Sometimes it would cause a small riot. One time this same foolish jealousy caused a split in the legislature, and part of it adjourned to Florence where there was opportunity to cool off. It seemed that our great statesmen of those days took supreme delight in pulling each other's hair. The South Platters greatly outnumbered their northern enemies, but what the north men lacked in numbers they made up in shrewdness and perfect organization, with just such a dare-devil spirit as knows no such word as fail. They were usually able to take pretty good care of their interests. The two principal towns of the territory were Omaha and Nebraska City, and these were the centers of the spirit of rivalry and jealousy. The hatred between Greece and old Troy could not be more intense, only that the savagery of the ancients was entirely lacking with the modern rivals. The watchword and battle-cry of each was like that of old, "Or Greece or Troy must fall."

Mr. Daily was in some degree a statesman, and while representing Nebraska in Congress he recognized the fact that it lay on both sides of the Platte river, and that the people

of all sections had interests that must be looked after that all should have a fair show in the race of life and business. Our Nebraska City friends thought this was treason, and they learned to hate Daily as their worst enemy. They hated him worse than they hated Omaha, and that was pretty bad, we assure you. While this weakened Mr. Daily in many parts of South Nebraska, it gave him friends (not a few) in Omaha and in other parts of the "enemy's country."

It soon became evident that it was Daily against the field, with Taylor a fairly close second, while Monell, Hitchcock, and Marquett, and others had their following. At one stage of the game Marquett was thought to be the "dark horse."

At an opportune moment, a delegate moved that candidates be requested to state their position on certain matters before the people, and also tell the convention what claims they had for preferment. Some one called lustily for Taylor. Taylor came forward and excused himself, and rather impertinently suggested that Mr. Daily should give an account of his stewardship. He little dreamed what a gap he had opened for his rival. Mr. Daily did not wait for a second invitation, but fairly bounded to the front, and said, "Gentlemen of the convention, I am to-day proud of an opportunity to tell you of my stewardship," and he went right on telling what he had accomplished for the territory, and how he had downed Morton. It was a masterstroke, on a small scale like unto that Chicago speech with a "crown of thorns and a cross of gold." Mr. Taylor heard something drop just then, but the fight was on, and a most stubborn fight it was. Balloting, adjourning, buttonholing, and log-rolling. Three days we wrestled with the great problem before us. Many speeches were made; many appeals were made to the patriotism of the members. Most terrible would be the results of a rupture. Some of these efforts were eloquent, and especially so when reference was made to the dark clouds of war and the mighty struggle going on

to save us a home and a country. The stentorian voice of Mason just made the "wild woods ring" all around Omaha.

There was an eccentric German, a learned doctor withal, Dr, J. F. Renner, who would rise in dignity and sing out, "Mine cod, mine cod, ish the gentlemen going to sell us like the slaves!" Many episodes of the convention were truly sublime, particularly so when the great work the Republican party had in hand was so eloquently portrayed by some of the speakers.

The hearer will bear in mind that at this time the great fratricidal war was raging "Fierce as ten furies, terrible as hell."

Our democratic friends had but a short job. Judge Kinney was nominated with but slight opposition.

When foot-loose many of the leading democrats came over to see the sights at our convention. Among the more notable was the learned judge bearing triumphantly the banner of his victory, Dr. Geo. L. Miller, J. Sterling Morton, J. M. Woolworth, and A. J. Poppleton, and others whose names are lost to us. Our democratic visitors were interested. We well remember Mr. Morton approaching the writer of this paper at one stage of the game and made to him this terse remark, which we learned to appreciate later, "Daily has got you fellows where the wool is tight." We were once again apprised that an on-looker could see just as far into a mill-stone as the one wielding the mallet and chisel. The long struggle ended after about 136 ballots, with the nomination of the distinguished Peruvian, amidst acclam tions of joy on the part of his friends and supporters, but it was a hard pill for many to swallow. Some were sour and made all sorts of faces at the dish of crow served up for them, but the more considerate swallowed it as if they were hankering after crow. Taylor openly bolted the nomination, and Mason followed. Here we again had occasion to admire the manly courage of Marquett. He said in words fairly burning, "Gentlemen, I am a loyal republican, and I am here to tell you that

the choice of this convention is my choice, and from this hour I go into the field to do all I can for the nominee." A wild storm of applause greeted the young hero. Judge Kinney was personally very popular. Taylor helped him all he possibly could. Mason lent his great ability and bull dog courage to help him; but for all that, Sam Daily was triumphantly elected. He made Nebraska a good and faithful representative.

There were many gentlemen at those two conventions that have had a very honorable part in laying broad and deep foundations for this great commonwealth, men who have made their marks in Nebraska history.

Two territorial governors, Morton and Saunders, one that became state governor, David Butler, and four who became representatives, Daily, Hon. John Taffe, T. M. Marquett, and Hon. P. W. Hitchcock, three future U. S. senators, Alvin Saunders, P. W. Hitchcock, and A. S. Paddock; one Federal judge, Elmer S. Dundy; one judge of Supreme Court of Nebraska, O. P. Mason; and many distinguished business men. We remember especially our friends Henry T. Clark and Dr. J. F. Renner. Although his name has several times appeared in this paper, it is well to record that one farmer, who bears the honors highest in the gift of our historical society, and who honored a seat in President Cleveland's cabinet, was a member of the democratic convention and a visitor at ours.

If we remember correctly, Omaha had but two hotels at that time. The old Douglas house on Harney St., and the Herndon, near the foot of Farnam. It was about half of what is now the U. P. headquarters. We understand it was built by the distinguished citizen, Geo. Francis Train, and was at that time and for several years the largest and best hotel in the upper Missouri river valley. It was our good fortune to enjoy of its bounteous fare while in the city.

Our convention was held in the old Douglas county courthouse (a little red brick), which stood on Farnam somewhere from 12th to 14th Sts.

As memory serves, it was mostly an open field between 14th and Capitol hill, where a rather shabby little state house occupied the ground that is now adorned by the beautiful high school building.

To us Omaha looked to be rather dull, and we were not impressed with a foresight of the great future in store for it. There was scarcely any improvement in progress. Citizens gave as a reason for the dulness that the Platte river had been out of its banks frequently during the season and was unfordable, and nearly all the overland travel took the South Platte routes, and left Omaha to hold an empty sack. The only means of communication with the world at large, other than by telegraph, was by stage across Iowa, connecting with cars at Ottumwa, and by an occasional river steamer. We have no means of determining the number of Omaha's population, but we guess it had less than two thousand. In contrasting what is now before us at Omaha, at Nebraska City, at Lincoln, and all along the way, it seems that we have been transplanted to another world. It seems a dream.

Our return home was by stage to Nebraska City and was without incident worthy of note, except we were forcibly reminded of the August frost, as all the corn was as dead as a smoked herring.

We crossed the Platte at Oreapolis on a little rickety horse-power ferry boat. It looked to us as if we might have rolled up our pants, waded, and saved the ferryman's fee, but we didn't.

We have made many visits to Omaha through the years, but never again have we had the variety of experiences that that trip afforded. We hardly think any later party convention has been its equal. How it would rejoice our heart to meet the living members or visitors of that memorable gathering. Is there one here to-night? O then give us your hand in consideration of the many ties that bind us to this sacred soil.

Many, yes, nearly all, who gathered there are gone beyond

the dark river, but they have left their "footprints" all along the trail of life, in all sands of time. "We may see them and take heart again." Blessed be their memory.

JUDGE ELMER S. DUNDY.

[Edwin S. Towl, Falls City.]

The subject of this memorial sketch, short and imperfect as it must necessarily be, was born on the fifth day of March, 1830, in the then wilds of Trumball county, Ohio. Trumball county is a rough, broken, and almost mountainous section of country, a fit birth-place for the rugged, virile, yet kindly nature of the man whose name heads this article.

His ancestry was of German descent on both sides, the protestant German that had first settled in eastern Pennsylvania and Maryland nearly two hundred years before. Here during his boyhood years he followed the ordinary occupations of a farm lad, varied with much rambling, hunting, and fishing in his country neighborhood. This was his life up to his eighteenth year, and it laid the foundations of a strong physique that was a helpful factor in his race of life.

This was the day of apprentices, and he was bound out to a local tanner with whom he remained until he fully mastered the trade, though he never engaged thereafter in that occupation. He had no great liking for manual labor at this period of life. His inclinations were of a studious nature, and all kinds of books were sought and eagerly read by him.

About the year 1850, the Dundy family, consisting of father, mother, and two brothers, moved to Clearfield county, Pennsylvania, at that time a sparsely settled lumber region on the upper waters of the Susquehanna river. Here he followed such vocations as were incident to his life and conditions,—farming, lumbering, and such odd jobs of manual labor as came to his hand. But he was, through all, a

thoughtful, studious boy, earnestly bent upon improving his mind and rising from the ranks.

Frugal and temperate in all things, with but few opportunities to acquire academic learning, mastering such works of elementary education as were in his reach, and a general reader of miscellaneous works, his receptive and capacious mind easily enabled him to become, at the age of twenty-one, self-educated and well informed.

After a few terms of teaching in the rough lumbering and farming districts of the country, and then a residence in the town of Clearfield, Pa., he soon became principal of the city schools of this place. While engaged in teaching, he took up the study of law in the office of Hon. William A. Wallace, a leading democratic politician of that state, who afterwards became a national figure. Governor Bigler was also a resident of Clearfield at that time, and became a warm friend of the young Dundy. He afterwards was able to be of material service to Mr. Dundy, when he became an applicant for appointment at the hands of President Andrew Johnson to the office of United States District Judge of Nebraska. Judge Barrett, a leading lawyer and holder of judicial positions in the state of Pennsylvania, was also a resident of the little county seat town of Clearfield. Mr. Dundy's association with these men was intimate and based upon mutual regard, and must have greatly helped to fix in young Dundy's mind the high ideal he pursued ever after to the very end of his earthly struggles.

In 1853, after a severe examination in open court, he was admitted to the Clearfield county bar and licensed to practice law in the courts of the state. Soon afterwards he was elected justice of the peace, a position of trust he filled with firmness and ability.

In those days the star of empire was ever leading to the westward and drawing with it in its train the young, vigorous, and ambitious men of all ranks and conditions. There was an empire of new lands lying in the belt of the temperate

zone, a soil of marvelous richness, abounding with streams and gushing springs, a land of beauty and natural wealth, and destined to become soon the home of millions. Nowhere else on earth could its equal be found, in beauty, extent, fertility, or climatic conditions. In addition to this, at this time a great moral struggle was raging between freedom and slavery, for the control and possession of the fairest portion of this beautiful land—that between the Indian Territory and the British possessions, then known as the Territory of Nebraska, a year later as the territories of Kansas and Nebraska. The eyes of the nation were all looking this way, and the struggle was begun which, a few years later, washed slavery out in a sea of blood. So in the year 1857 he left Clearfield and was irresistibly drawn into the seething caldron of conflicting ideas, passions, interests, and habits, and became a ready participant in this grand drama. His lot was cast upon the side of "free soil," and his efforts in that direction never ceased until the territorial legislature of his adopted home excluded slavery from Nebraska and the amendment to the national constitution wiped the "twin relic" from the escutcheon of the Republic.

The territory of Nebraska had been purchased by treaties from the various Indian tribes occupying its area only three years previously, and Congress had organized the territorial government in May, 1854. In January, 1855, the first legislature met at Omaha and adopted almost bodily, and in a mass, the statutes of Iowa, as a code of laws for temporary use.

Judge Dundy touched the soil of Nebraska at Nebraska City, making the long, tedious trip by steamboat from St. Louis, arriving there in midsummer. He remained but a few weeks at that place, and came with Judge Black, the presiding judge of this district, to the little hamlet of Archer, which was then the county seat of Richardson county. The rude temple of justice was the bar room of the little board tavern of Judge Miller, who was the leading citizen of the

village, landlord, probate judge, and general adviser in all things.

The courts, so far as the fees were concerned, were of but little benefit to the young practitioner, but it was a means of his becoming acquainted with the rude but kindly pioneers, who were beginning to take up claims along the margins of the streams of the county—leaving all the best land to be appropriated later, by more fortunate ones.

In the fall of 1857 a re-survey of the western line of the Half-Breed Reserve put Archer off the government land and within the limits of the reserve. This was an extinguisher of the hopes of the Archer people, and at once a new town, some two miles southwest, was laid out and named Falls City. To this place the young lawyer at once moved, and became identified with its fortunes. Here he began the practice of law, and soon became a successful advocate, his great common sense and conscientious application gaining the confidence and respect of all. His cotemporary and opposing lawyer on almost every suit at law was the Hon. Isham Reavis, who was, in later years, an associate justice of the supreme court of Arizona, and at all times and now a profound and successful lawyer.

In the fall of 1858 Dundy was elected a member of the council (or senate) of the territorial legislature, and in 1860 was re-elected. In those days the upper house was composed of only thirteen members, but it has long been a tradition in Nebraska that the council during those four years was as able a body of men and legislators as have ever come together at any time in any state. During those four years the whole ground-work of the future state was laid out, and most of the legislation then enacted remains on the statute book today. Judge Dundy was the author of many bills and the leading spirit of the upper house during all those four years.

From 1858 to 1863 he was active and diligent in the practice of his profession, and it was during these years that the bitter, bloody, and long-drawn-out contest over the county

seat of Richardson county was begun and ended. He was a man of strong personal and local attachments; he had now fully identified himself with the fortunes of his adopted town, and the little city had a county seat fight on hand almost from the first day of its existence. He was no trimmer at any time or in any emergency, and his admiring fellow citizens put upon his willing shoulders the burden of the contest. Before the people, at the polls, in the halls of the legislature, he always led his partisans, and to his acuteness, resources, perseverance, and indomitable courage, the future of the town was assured. Without him there would have been no Falls City, and the ground now covered with substantial brick and stone business houses and beautiful homes of contented and prosperous people would be till this hour a cornfield under the plough of the husbandman.

In a material sense he profited but little, if any, from the upbuilding of the town, while many others have reaped rich rewards, directly and indirectly, from his labor. He cared but little to accumulate wealth, and counted life but ill-spent to waste it in piling up what men call riches, though his great and loyal nature freshened and bloomed with the reflection of divinity itself in the honest approbation of his fellow men.

In the spring of 1863 he was appointed, by President Lincoln, an associate justice of the supreme court of the Territory of Nebraska. Under the organic law of the Territory, the justices of the supreme court were assigned to the three several judicial districts of the Territory, as presiding justices, with full original jurisdiction in all civil and criminal causes. His district was the southern one, and embraced his home county of Richardson, and extended from the Kansas line to the Platte river, and covered fully one-half of the organized counties of the Territory. He held court in each county twice a year, and then, during the winter months, the three justices sitting together, in bank, at Omaha, composed the supreme court, to sit in judgment upon such cases as

were appealed or brought on writ of error from the several district courts.

The country was rapidly settling up and developing. A countless stream of immigrants and home-seekers were constantly crossing the Missouri river at many points, in covered wagons, with flocks and herds, and selecting homes upon the rich rolling prairie lands, as yet untouched by hand of man. The lavish hand of prolific Nature in its work of countless ages on land and sea bears evidence irrefutable that its ultimate object was to smooth and mould a material world as a fitting home for God's own children. For a landscape of sweet, simple, pastoral beauty, can the broad plains of Nebraska be excelled?

With new duties and enlarged responsibilities, the young judge was rising and broadening in intellect and power so that he never failed to meet the demands of his position or the expectations of his friends. A new land in its formative state, swelling and filling up with restless pioneer adventurers and home-seekers, is always prolific in litigation and incessant breaches of the criminal code. The dockets were crowded, his labors arduous, but he vigorously and unfailingly held aloft the scales of justice, stripping the technical armour of defense from the guilty criminal, and never allowing his court to become the instrument of injustice to the honest litigant. There were many able lawyers in his district constantly practicing at the bar of his court, such men as Marquett, Mason, Shambaugh, McLennan, Thomas, Reavis, Schoenheit, and others.

For four years he presided as judge of the territorial courts until 1867, when Nebraska became a state. Then came one year again as a practicing lawyer, when in May, 1868, he was appointed, after a most bitter and protracted struggle, by President Johnson, as United States District Judge for the District of Nebraska, an office held by him until his death on October 28, 1896.

In June, 1866, the question of the adoption of the new con-

stitution for Nebraska, and the admission of the proposed state into the Union was submitted to the popular vote. The election was close and exciting, but the constitution was adopted, and Congress was asked to admit Nebraska as a state. At the same election, state officers and a judicial and legislative ticket were also elected as necessary machinery for the new state. The first session of the new state legislature convened at Omaha on July 4, 1866, for the purpose of electing two United States senators. Judge Dundy was a candidate at this session for the position of United States senator, and had a large following; but the war had just ended, the military men were in the saddle just then, and, as a sequence, Gen. John M. Thayer and Chaplain Tipton were elected.

His career as Federal judge is well preserved in the memories of the people and the reports of the national courts. While sitting as a circuit judge in the Federal courts, with a jurisdiction as broad as the national constitution, the most intricate questions of law and equity, together with criminal law, involving the life and liberty of individuals and countless millions of money, were decided and disposed of by him.

He was now indeed the ideal judge, in the zenith of his fame, learning, and power, "of that learning which was the fruit of long and patient study, ripened and matured by the mellowing touch of age and experience." Though justice was his only trade, insensibly tempered by his kindly nature, his time, his talents, and his heart were his country's and his country's alone.

With a fixed salary and secure in office, during life or good behavior, the greed or passions of men had no more effect on him than the mists of morning upon the mountain peaks. While his court, in decorum and dignity, differed from the ordinary state courts of similar jurisdiction, as the church from the bar-room, he strained not the quality of mercy and tempered the quality of Federal statutes, which

would otherwise have borne heavily upon poor and deserving men.

Perhaps the most celebrated cause that came before Judge Dundy for hearing and decision was what is generally known as the Ponca Indian habeas corpus case. From time immemorial the Ponca tribe of Indians had been inhabitants of and domiciled in the great northwest country, west of the Missouri river, and north of the Niobrara river. Ever since the acquisition of this territory from Napoleon, under the treaty of 1803, this tribe had been on friendly terms with the pioneer settlers of the northwestern border and the Federal government. For hundreds of years they had been accustomed to a cold and temperate climate, following the great herds of buffalo in their annual hunts, yet at the same time paying considerable attention to the pursuit of agriculture in a rude way. They had many corn fields, and were self-supporting. In the '50's, under treaties, they were given a fair-sized reservation north of the Niobrara, and with schools, churches, missionaries, and teachers, were making good advances towards civilization, and had become very much attached to their homes.

By some great blunder or oversight of the Interior Department, in a subsequent treaty with the Sioux tribes, their reservation was ceded away from the Poncas and given to the Sioux, without their knowledge or consent. Their protests were unheeded, and under orders from the general government, they were gathered together and bundled off to the Indian Territory, several hundred miles farther south, a wholesale and forcible deportation on almost an exact parallel with that of the Acadians in the eighteenth century.

Their new home was hot and miasmatic, their spirits were broken, their hearts sickened, and death soon began to reap an abundant harvest among them. Out of a membership of 518 souls, 158 passed away in twelve months. Such a situation was past even Indian human endurance—nearly all the survivors were sick and disabled. At this juncture the prin-

cipal chief of the Poncas, Standing Bear, taking the remnant of his own family, his dead children, and some twenty-five or thirty of his followers, made the resolve to sever all connection with his tribe, and strike out to the north again, somewhere near their old home. They eventually reached their old neighbors and kinsmen, the Omaha tribe, and went to work as farmers and laborers on the Omaha reservation.

Again the strong hand of the general government interfered, and General Crook, commanding the Department of the Platte, was ordered to arrest all the fugitives and return them once more to the Indian Territory. The arrest was made, the Indians were in custody of the military power, when proceedings were commenced in the U. S. Circuit Court of Nebraska, before Judge Dundy, asking for their release upon habeas corpus. The best legal talent of the state was enlisted in behalf of the homeless, hunted, and heart-broken wanderers. A new question had arisen, a new principle must be enunciated, a precedent must be established. Here were Indians, now without a tribe or tribal connection. The habeas corpus laws of the Federal government gave any "person" the right to sue for its privileges.

The great questions to be passed upon and decided were whether an Indian was a "person" and whether he had the right of expatriation? Could he sever his connection with his band or tribe? And had he the inalienable right to life, liberty, and pursuit of happiness under the national constitution?

But few judges have been called upon to pass upon questions of greater magnitude. All the power and influence of the national government on one side, while it was doubtful whether even a "person" was on the other. But the great learning and the great sympathies of this broad-minded and just man were turned and focused upon this momentous cause, and in a lengthy opinion, showing deep research, thorough investigation, a luminous knowledge of constitutional law, and a tender respect for the rights of the lowly,

the Indian was clearly shown to be a "person" and a human being. As has been aptly said, he formulated the Magna Charta of the Indian race.

The law officers of the Government were strongly inclined towards appealing the case to the Supreme Court, but eventually concluded not to do so. The decision stands to-day as the law of the land, an everlasting and ever-flowing fountain of justice and mercy. Of this decision, Judge Lambertson has most truly said: "It gave them (the Indian races) a standing in the government, in the courts, and before the law, which will ultimately admit them to the enjoyment of the rights and privileges guaranteed to our most favored citizens."

Amongst the scores of other celebrated and important cases, we will only mention those of Captain Gordon, arrested for violation of General Sheridan's orders, in invading the Black Hills for gold, the Union Pacific bridge receivership and wages cases.

Early in 1861, Judge Dundy and Miss Mary H. Robertson were united in matrimony, at Omaha, soon afterwards making their home at Falls City, Neb. His wife was a true helpmeet in every sense of the word, and their home was attractive and refined; and altogether they were blessed with a family and a family life such as is vouchsafed to but few of the temporary sojourners of earth. Four children were born of this union. E. S. Dundy, Jr., now a leading business man of Omaha, Miss May Dundy, Luna (now Mrs. Newman of New York City), and a daughter who died in early childhood in 1870, at Falls City.

With strong local attachments, both for vicinage and for friends midst which he had lived so long, it was with a saddened heart that he changed his residence to the principal city of the state in 1884.

A man with no creed, he so exemplified the golden rule in all his relations with his fellow men that his life embraced the creeds of all denominations.

No man ever had a truer friend than he, yet to those that slandered and maligned him he could be as hard and cold as the frozen poles; to those that loved him he was soft as summer's wind.

A clear-headed, honest, and conservative man, intuitively he rose to the level of all the public stations he was called upon to occupy. He was amply fitted by nature and acquirements to fill with credit any position in the gift of a free people.

In person, Judge Dundy was of athletic and rugged form, and of strong constitution, probably from heredity and labor during youth. He was not a bookworm or student recluse, ever delving amid the musty and forgotten lore of the dead past; rather a lover of sunshine and the free air of wind-swept plains, hunting with horse and gun through woods and by rivers; a lover of horses and a capital judge thereof; a follower of the chase, after the large game of the Rockies—each year engaging in an extended hunt, with a party organized by him for that purpose.

All men have their predominant characteristics. Some are one-sided and easily gaged. Judge Dundy was not constituted that way. He had as many sides as a diamond has faces. Cool headed, wary, astute, and determined amid the contentions of men, he was an ideal counselor of partisans, where the conflicting interests of closely balanced parties were desperately struggling in the arenas of the legislative forum or upon the floors of political conventions which made or marred the fortunes of factions. With unbounded opportunities to acquire great wealth, he was more than satisfied with a moderate competence. Placed in a position in life where he had no call to ask help of any, yet he was always hearing the call of others. He was not troubled with deafness in that respect,—always helpful, tender, and sympathetic, from the depths of a nature overflowing with kindness and love of friends. With him it was "once a friend, always a friend." Though he made new friends to the day of his

death, yet no old friend was ever forgotten. It appeared that he made friends not to use them, but to be of benefit to them. His word, once pledged, was never violated. He was rather a reserved and modest man, but no one ever regretted taking the trouble to break through the outer crust, after knowing what was within.

All lives have their object lesson and point their moral. What story does the life of this grand man teach us? Does it not say to the poorest of the struggling masses that the gates of preferment are open to all? That the prizes of human life are the rewards of those who deserve and labor for them?

"Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of Time;

"Footprints, that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother,
Seeing, shall take heart again."

For the writer of this short, fragmentary, and disconnected sketch, the death of this great and good man breaks an intimate friendship of more than thirty-four years, inlaid and encrusted with the innumerable jewels of kindness, caution, admonition, and help, more than freely given from the stores accumulated by him in an active life, midst the whirlpools and counter currents of human struggles for precedence and gain.

Shall this man live again? Shall the philosophy of the pagan consign him to total extinction and eternal darkness, or the sublime and inspired faith of the Christian rehabilitate him with eternal life upon a fairer shore? And without speculating upon diverse, abstruse theories, can we not safely and *surely* say that the example of his life and works are not and can not be lost; that what he so laboriously garnered

of truth and faith and nobleness are bequeathed as a common heritage to the children of men, as an inspiration, landmark, and beacon-light to help illuminate and guide the coming and untold millions on their onward and upward march to their ultimate destiny.

THE NEBRASKA CONSTITUTION.

SOME OF ITS ORIGINAL AND PECULIAR FEATURES.

By Charles Sumner Lobingier of the Omaha Bar. Read before the State Historical Society, January 10, 1899.

Mr. President, and Fellow Members of the State Historical Society:

It might seem, at first thought, that a young commonwealth like Nebraska would have no original or peculiar features in its fundamental law. Constitution-making had been in progress, even in America, for almost a century before the first convention assembled for that purpose within the present boundaries of Nebraska. Moreover, the political ideas which form the subject-matter of most constitutions had been wrought out through a long period of European civic development before the New World history had even begun. One might expect to find, therefore, that the Nebraska constitution is but a copy of similar instruments which preceded it. In reality, however, the fundamental law of this state contains a number of important provisions which appear to be original, and which afford an interesting field for investigation, not alone for the jurist and the student of our legal system, but also for the local historian.

PECULIAR FEATURES IN THE BILL OF RIGHTS.

The Bill of Rights is the oldest part of existing constitutions. Many of its clauses are exact reproductions of the instrument of the same name which marked the successful

issue of the English revolution. Still other provisions find their origin as far back as Magna Charta. In this part of our constitution we might least expect to find originality. And yet our Bill of Rights provides its own rule of construction by means of a clause which makes our constitution different from those of most other states.

It is commonly said that the canons of construction for Federal and state constitutions are directly opposite, that the Federal instrument is a grant and confers no powers not expressly mentioned, while a state constitution is a limitation and passes all power not expressly retained.[1] To this doctrine, so well established elsewhere, our Bill of Rights affords an exception. For the last clause of this part of our fundamental law is as follows: "This enumeration of rights shall not be construed to impair or deny others, retained by the people, *and all power not herein delegated remains with the people.*"[2]

HISTORY OF THE CLAUSE.

While this clause is not original in our present constitution, it is peculiar to a few states, and its history deserves brief attention. It seems to have appeared for the first time in the original Ohio constitution of 1802, but in somewhat different phraseology.[3] It was inserted in the constitution of 1851 of the same state,[4] in language identical with that by which it is now expressed in our own. In 1855[5] and again in 1858[6] the clause appeared in the Kansas constitutions of those years, and in 1866 it was made a part of the first constitution of this state,[7] whence it was carried forward to the present instrument of 1875. Meanwhile, in 1868 the states of North[8] and South Carolina[9] each adopted a constitution which contained the same provision as a part of its bill of rights.

THE CLAUSE IN PRACTICE.

In North Carolina[10] and also in Ohio[11] the clause has several times been judicially construed, but in Nebraska its

full significance appears generally to have been overlooked. Literally applied, it would require the same rule of strict construction for both our federal and state constitutions; it would give the legislature, as well as the other branches of the state government no implied powers, while every legislative act would need support in some express clause of the constitution. I have not observed, however, that any such rule has been followed in practice. The construction given to our fundamental law by the courts appears not to differ from that awarded to state constitutions generally,[12] and I have known of arguments at the bar wherein it was either assumed or asserted that our constitution is a limitation and not a grant. Still it seems unlikely that so plain a provision will always escape notice, and it may yet work surprising changes in constitutional interpretation.

RIGHT OF APPEAL GUARANTEED.

Another peculiar provision of our Bill of Rights is that which guarantees the right of appeal. It is as follows: "The right to be heard in all civil cases in the court of last resort, by appeal or otherwise, shall not be denied."[13] The guaranty of the right to be heard in courts of *original* jurisdiction is found in almost, if not quite, every American constitution, and is as old as Magna Charta. But the right to be heard in an *appellate* court is a different matter, and I find no constitution except ours which guarantees it. This provision, like the one last noticed, would be exceedingly important were it literally applied, for its logical effect is to invalidate all legislation which prevents a hearing in the court of last resort. It might even be true that a literal construction of this clause would invalidate certain statutes which cut off an appeal where a litigant fails to take certain formal steps within a prescribed period. But this clause, like the others, is not literally applied. We have, *e. g.*, a statute[14] which entirely forbids an appeal from an inferior

court in cases tried to a jury where the amount claimed does not exceed twenty dollars, and this statute has been several times upheld by the courts.[15] In practice, therefore, this constitutional provision seems not to have materially affected the legislation of this state. It has, however, influenced the course of judicial legislation, at least one decision having been overruled on the strength of the constitutional guaranty.[16]

POPULAR VOTE FOR UNITED STATES SENATOR.

A provision submitted separately from the constitution itself, but nevertheless forming a part of that instrument, is that which authorizes the legislature to enable the voters to express their choice of candidates for the office of United States Senator. At the time of its adoption it was a unique plan and was welcomed as a step towards the popular election of senators, but in practice it has amounted to little. Twice in our political history a popular candidate has received a large vote for the senatorial office—once in 1886, when the late General Van Wyck sought re-election, and again in 1894, when Messrs. Bryan and Thurston were rival candidates. But at no time has the legislature actually provided for a popular ballot upon senatorial candidates, and as the constitutional clause is permissive only and not mandatory or self-executing, the votes which are cast for this purpose are not officially canvassed, and are treated as a mere voluntary expression of the electors. Moreover, in no instance has a senatorial contest in this state been determined or even materially affected by the popular vote cast for a particular candidate. Nevertheless, this provision has been incorporated into the new constitution of South Carolina, and was probably borrowed from ours, as no other instrument of the kind embodied such a plan. Under more favorable conditions, too, it may yet prove to be the transitional step towards the direct popular choice of United States senators.

FEW OFFICES AND SMALL SALARIES.

Law has been characterized by an eminent Italian jurist as the product of economic conditions.[17] Our state constitution, as the highest expression of local law, illustrates this in several features. Indeed, it may not be inaptly termed a "grasshopper" constitution, for in 1875, when it was framed, the State was just emerging from the gloom and destitution caused by the insect scourge of the preceding summer. The scrupulous care with which offices were limited and salaries curtailed shows the influences of these conditions on the work of the convention. The highest salary allowed by the constitution is $2,500, and yet, even that sum must have seemed a fortune to the impoverished Nebraskan of a quarter of a century ago.[18] The story of how these checks and limitations regarding offices have been evaded through such means as the creation of boards and the appointment of secretaries is a familiar one and illustrates the inefficacy as well as inexpediency of permanent measures to meet merely temporary conditions.

Our fundamental law was framed at a transitional period in the history of constitution-making in America. The constitutions which preceded it were of the old type, containing merely the Bill of Rights, the framework of government, and a few other necessary provisions. Those framed in recent years are of increasingly widening scope extending far into the field of general legislation.[19] The Nebraska constitution occupies a position midway between these two types. It has a less extensive scope than those framed during the last decade, but it covers many subjects which would have seemed out of place in the constitutions of the early part of the century. Such are the articles (XI, XII, XIII) relating to railroad and other corporations, portions of which have been of frequent consideration by the supreme court in recent years.

UNCHANGEABILITY OF THE CONSTITUTION.

Perhaps the most effective and at the same time most serious of these peculiar features of our constitution is its unchangeableness. For its own amendment, it requires "a majority of the electors voting at the election,"[20] and this has been construed by the supreme court to mean a majority of the highest aggregate number of votes cast for any candidate or proposition,[21] and not merely a majority of those cast on the amendment. One of the judges in the opinion wherein this construction is announced frankly recognizes that "taking the past as a criterion by which to foretell the future, it would seem that, under the construction adopted, it would be almost, if not quite, impossible to change the present constitution, however meritorious may be the amendment proposed." And this conviction is not confined to the judicial but is also shared by the executive branch. Governor Poynter, in his inaugural message, calls attention to the fact that, although proposed amendments are submitted at almost every session of the legislature, yet, "in the press of other matters and in the excitement of political campaigns, they are lost sight of and fail to receive popular ratification." The justification of this remark will appear when we recall that, while our constitution has been in force for almost a quarter of a century, and while at one time (in 1896) as many as twelve propositions of amendment were pending, there is but one instance where a change has been actually effected—and that only through a legislative recount after the proposition had been declared lost by the official canvassers.[22]

DISADVANTAGES OF THE UNCHANGEABLE FEATURE.

It seems to be conceded then, that our constitution is practically unchangeable by amendment, and, if so, we find here not only a most peculiar feature, but one of gravest concern to the commonwealth. Doubtless it is important that

our fundamental law should be stable and secure, not changed with every wave of popular caprice, and not easily manipulated by designing politicians.[23] But, on the other hand, it is not an edifying spectacle to behold a great commonwealth where needed legal reforms are rendered impossible because the hands of the state were fettered in its infancy.

NEED OF A CONSTITUTIONAL CONVENTION.

A remedy for this plight into which our laws have fallen seems to lie in the calling of a constitutional convention, and a general belief that this is the only possible solution is indicated by the fact that both our incoming and retiring governors have recommended that plan to the present legislature. It is gratifying to know that such a course meets the approval of some of the most careful students of political science. Mr. E. L. Godkin, editor of the *Nation,* always conservative and never an optimist, thus characterizes the constitutional convention as a factor in American political development:[24] "Through the hundred years of national existence it has received little but favorable criticism from any quarter. It is still an honor to have a seat in it. The best men in the community are still eager or willing to serve in it, no matter at what cost to wealth or private affairs. I can not recall one convention which has incurred either odium or contempt. Time and social changes have often frustrated its expectations or have shown its provisions for the public welfare to be inadequate or mistaken, but it is very rare indeed to hear its wisdom and integrity questioned. In looking over the list of those who have figured in conventions of the state of New York since the Revolution, one finds the name of nearly every man of weight and prominence; and few lay it down without thinking how happy we should be if we could secure such service for our ordinary legislative bodies."

Who shall say that the creation of such a body at this time would not summon to the service of the state many gifted

citizens of whose assistance the state is now deprived because present political conditions fail to attract them? If so, the result would tend to quicken and regenerate the not too wholesome civic life of our beloved commonwealth, besides facilitating, by the removal of obsolete constitutional barriers, that steady improvement in laws and institutions which is the normal tendency of every free and intelligent people.

[1] See the writer's article "Constitutional Law," 6 Am. and Eng. Encyclopedia of Law (2nd ed.) pp. 933, 934. But *cf.* McGill vs. State, 34 O. St., 260.

[2] Art. 1, sec. 23. The italicized phrase is the peculiar portion. The rest of the section is contained in many constitutions.

[3] There the language was: "To guard against the transgression of the high powers which we have delegated, we declare that all powers not hereby delegated remain with the people," Ohio Const. (1802), Bill of Rights (art. 8), sec. 28.

[4] Art. 1, sec. 20.

[5] Art. 1, sec. 22.

[6] Sec. 21.

[7] Neb. Const. (1866), art. 1, sec. 20.

[8] North Carolina Const. (1868), art. 1, sec. 37. In People vs. McKee, 68 N. C., 435, the court observes, "This last clause will not be found in the former constitutions of the state."

[9] South Carolina Const. (1868), art. 1, sec. 41.

[10] University R. Co. vs. Holden, 63 N. C., 426; People vs. McKee, 68 N. C., 429.

[11] Ohio vs. Covington, 29 O. St., 112; State vs. Smith, 44 O. St., 348, 372.

[12] See Magneau vs. Fremont, 30 Neb., 843, 852, and cases there cited.

[13] Art. 1, sec. 24.

[14] Code Civil Proc., sec. 985.

[15] C., B. & Q. R. R. vs. Headrick, 49 Neb., 286; Moise vs. Powell, 40 Neb., 671.

[16] Shawang vs. Love, 15 Neb., 143; overruled in Hurlburt vs. Palmer, 39 Neb., 158.

[17] Loria, "Economic Basis of the Social Constitution," reviewed in *Political Science Quarterly* for December, 1893.

[18] The original draft of the constitution fixed the salaries of governors and judges at $3,000.

[19] See Thorpe, "Recent Constitution-Making in the United States," Annals of American Academy, vol. 2, p. 145; Thorpe, Constitutional History of the American People (1898), vol. 1, p. 59; Eaton, "Recent State Constitutions," 6 Harvard Law. Rev., pp. 53, 109.

[20] Sec. 1 of art. 17 (or 14 as it appears in the Compiled Statutes).

[21] Tecumseh Nat. Bank vs. Saunders, 51 Neb., 801; 71 N. W. Rep., 779.

[22] This was in 1886 when the provision which now forms sec. 4 of art. 3 was declared adopted in pursuance of Sessions Laws of 1887, ch. 2.

[23] This idea was emphasized by Governor Dawes in his retiring message of 1887, as a reason for disapproving the plan of calling a constitutional convention.

[24] Godkin, "The Decline of Legislatures," *Atlantic Monthly* (1897), vol. 80, pp. 35, 52.

HISTORY OF THE INCARCERATION OF THE LINCOLN CITY COUNCIL.

By Hon. A. J. Sawyer. Read before the Nebraska State Historical Society at its session —— evening, January ——, 189—.

The first election under the new city charter creating cities of the first class, having a population of less than sixty thousand and more than twenty-five thousand inhabitants, and which was approved March 25, 1887, occurred on the first Tuesday of April of that year.

Lincoln had within the last few years rapidly increased in population, wealth, and territory.

The time had arrived when Lincoln was rapidly becoming one of the principal cities of the West, but she was without paved streets, sanitary or surface sewerage, and without an adequate supply of water. She was about to enter upon an era of public improvements commensurate with her growth and population. The good name which the city had formerly possessed for law and order had materially suffered within the last year or two, and license and misrule were in the ascendant to such an extent that the leading citizens organized a Law and Order League for the purpose of aiding the authorities in restoring good government and a decent respect for the ordinances already enacted. Law and order and municipal reform became the watchwords of the good citizens of Lincoln, while the others were in favor of the then established order of things.

Among the elective officers to be chosen under the new charter were the mayor and six councilmen.

These considerations all contributed to make the election one of the most spirited ever witnessed in Lincoln.

There were three candidates for the mayoralty: Edward P. Roggen, ex-Secretary of State, by the regular Republican convention; Andrew J. Cropsey, by the prohibitionists, and Andrew J. Sawyer by the citizens' reform movement, which was largely made up of Republicans.

The result was the election of the citizens' candidate by a majority of 537.

The city council after the election consisted of Lorenzo W. Billingsley, Lewis C. Pace, Granville Ensign, William J. Cooper, Joseph Z. Briscoe, James Dailey, John Fraas, Robert B. Graham, Henry H. Dean, Fred A. Hovey, John M. Burks, and Nelson C. Brock.

The newly elected officers were in due time inducted into office, took the prescribed oaths, pledged themselves to duly and faithfully administer the affairs of the city, see that the laws thereof were carefully executed, and settled down to the performance of their duties as best they knew. Having adjusted themselves to the conditions imposed by the new charter, they selected an entirely new police force, under civil service rules and regulations, and instructed them to see that all of the existing ordinances were strictly and rigidly enforced. They then turned their attention to the work of public improvements, the paving of the streets, construction of sewers, water works, and the like, and the general routine of municipal affairs; and so spring passed into summer and summer into fall with little occurring to disturb the serenity of the council to jar the machinery of the new city government; but the sear and yellow leaf brought sore trials and tribulations to the reform administration.

So far as we can judge, the new administration would have had comparatively easy sailing had it not been for the police judge. He had been elected the spring before for a term of two years, and consequently was a hold-over official with yet a year to serve.

There had been rumors afloat for some time that "even handed justice" was not always dispensed from his bench; that the eyes of the presiding goddess were not infrequently unveiled, and that the scales of justice were scarcely, if ever, accurately adjusted, and that the ermine had even been known to cover the wool-sack at places remote from where the seat of the city court had been permanently established.

Whenever the fountains of justice are corrupted, whether in inferior [illegible] or superior judicial courts, the people [illegible] judicial [illegible] experience a most unfortunate [illegible] of things, and one of the most intolerable and [illegible] is the incompetent and often absolutely corrupt and lawless persons selected to administer justice in the inferior courts and particularly in the police courts of our larger cities.

The citizens can not be too circumspect in the selection of these officials, for no permanent and effectual municipal reforms can be had until these primary courts are thoroughly purged of all the corrupt ward strikers and political heelers who, having secured these places for party services by "ways that are dark and tricks that are vain," in the name of justice perpetrate injustice, fraud, and oppression.

What had been rumor at length took definite form. Three citizens and tax payers, who had cognizance of the delinquencies of the judge, filed with the city clerk a petition or complaint in which they set forth that the police judge of the city of Lincoln had collected large sums of money, in his capacity of police judge, as fines from certain parties who were conducting certain out-lawed occupations, and that he had failed to make any report of the same on his dockets or to account to the city therefor. That he had also collected fines for the violation of the statutes of Nebraska to the amount of $329, as shown by his dockets, which amount he had neglected and refused to turn over to the county treasurer as required by law, and, assuring the council that they had ample evidence to substantiate the charges, requested that a thorough investigation be made. Under the city ordinance it became the duty of the city council, when charges were preferred against any of the elective officers of the city, to institute an inquiry, and, if the party accused should be found guilty, to declare his office vacant. Accordingly a committee, consisting of Councilmen Billingsley, Briscoe, and Pace was appointed to investigate the complaint.

A time and place were fixed for the taking of testimony, and due notice was served upon the defendant. The defendant filed his answer, in which he first made a general denial and then admitted that he had failed to turn over to the county treasurer certain funds he had collected, but claimed that his failure was due to his ignorance or misunderstanding of the law. At the time appointed for the taking of testimony defendant appeared with his counsel, Messrs. L. C. Burr, O. P. Mason, and C. E. Magoon, the complainants with their counsel, D. G. Courtnay, J. B. Strode, and J. E. Philpot. The taking of testimony occupied some five or six weeks. When the committee came to make their report to the council they stated that in their opinion they had no authority, as a committee, to make findings of fact, or in any sense to try said police judge upon the charges. That as the ordinance stood he should be tried by the council sitting as a body and not by a committee. The council in the meantime had discovered the defect in the ordinance and amended the same so as to authorize a committee to act in lieu of the whole number. The same committee was then reappointed to proceed under the amended ordinance to take testimony and make their report. As much time had already been consumed, it was stipulated that the testimony already taken might be used with the right of either party to offer such additional evidence as he might desire. When the testimony was all in, the second committee, after a most stormy siege and constant bombardments of lawyers on either side, made their report. Among other things, the report showed that in the spring of 1886 the police judge had made arrangements with Gus Saunders, the proprietor of some gambling rooms, that he should pay a monthly fine of $10 and costs for himself, and $5 for each of his employees engaged in gambling. That the police judge collected monthly such fines, in some instances going to the gambling rooms to make collections. That in consideration of the payment of the fines Saunders and his employees had immunity from arrests and

trials. The committee also found that no complaints had been filed or warrants issued or arrests made or trials had in such cases. That the same mode of procedure was had concerning the fines for prostitution. That he had collected a large amount of money for fines under the statutes of Nebraska, and appropriated the same to his own use, when he should have turned it over to the treasurer of the county. The committee accordingly recommended that the city council declare the office of police judge of the city of Lincoln vacant, and the mayor be requested to fill the office with some suitable person by appointment.

The committee made their report to the council on the 12th of September. Complainants and respondent were present with their attorneys. Both the respondent and his attorneys importuned the council in speeches both eloquent and lengthy not to rely upon the report of the committee but to listen as a body to the reading of the testimony and the further argument of the case. They declared that the committee was without authority to hear the evidence and that both the committee and city council were without jurisdistion to try the respondent on the charges preferred, because, as they said, the ordinance of August 15, 1887, was an *ex post facto* law; yet if the whole council would listen to the evidence and argument of the attorneys they would be satisfied with the decision reached. The council concluded to accede to the wish of the accused and, at his request, the case was adjourned to a day certain, when the council, as a body, was to sit in judgment in the case. This arrangement seemed to be perfectly satisfactory to the accused. The real purpose, however, in securing the adjournment was not that the council might be afforded an opportunity to further hear the case, but rather that they might be relieved from having anything further to do with the proceedings; for, in the meantime, attorney for respondent went to St. Louis and exhibited to the Hon. David J. Brewer, then circuit judge of this circuit, a bill in equity in which he claimed that his client was being tried by the city council of Lincoln, in violation of the constitution of the

United States, and was being deprived of his liberty without due process of law, and prayed that a writ of injunction might issue to restrain the mayor and city council from further proceedings in the case. Upon hearing the bill, the circuit judge, on the 24th of September, 1887, made an order that the defendants show cause on Monday, the 24th day of October next, at the court house in Omaha, why a preliminary injunction should not issue as prayed for, and in the meantime restrained the council from any further proceedings.

The feelings that possessed them when they were served by a deputy marshal with notice that they had been enjoined from proceeding further in the investigation may be better imagined than described. The evidence had disclosed beyond all possible doubt that the police judge was guilty of the charges preferred against him. That he had entered into a compact with gamblers and other lawless members of society to receive at stated times certain fines agreed upon for the conducting of certain occupations which had no right to exist, without the formality of law or proceedings in court. This wanton disregard of duty, this shameless violation of law, this private barter and sale of justice to the gamblers, pimps, and prostitutes of Lincoln were enough to arouse the righteous indignation of every citizen possessing the slightest regard for law, order, or decency.

At the time set for the further hearing of the case the council convened. They were certainly in an unhappy frame of mind. They were confronted by a *condition* and a *theory*. The condition was the unseemly spectacle of a police magistrate on the bench in the capital of the State who had shamelessly trailed the ermine of the judge in the filth and mire of the brothels and gambling dens of the city which had honored him with his election.

The theory was the chimerical conception of the police judge and his attorneys that local self-government, which had become an established fact, and endeared to the hearts

of the American people ever since the landing of the Pilgrim Fathers, and which in fact constituted the very corner stone of the Republic, was, after all, a myth, a delusion, and a snare; that a city, county, or state was powerless to purge itself, in the manner pointed out by law, of the corrupt and reckless officials that might fasten themselves upon the bodies politic.

On the night in question the council chamber was thronged with citizens anxiously awaiting the action of the council.

The condition and the theory stood like grim specters in the presence of the city fathers, unwelcome, as they were forbidding, to the presence of all assembled.

To adopt the theory and await the final decision of the Federal court as to whether they might be permitted to do a little house-cleaning on their own account in their own bailiwick, would necessitate the continuance of the condition. And very likely defendant would complete his term of office long before a final decision could be reached, and the end sought to be accomplished by the investigation completely defeated.

On the other hand, not to accept the theory was to go counter to the mandate of the court and incur the risk of fine and possibly imprisonment for contempt of court.

While the mayor and council had the greatest respect for the learning and ability of the eminent jurist (since one of the justices of the supreme court) they could not but feel that the injunction had been allowed under false misrepresentations, and that, when the true state of affairs was made known to him, he would not be disposed to look with such contemptuous disfavor upon their acts as upon those who procured the writ to issue. Besides, after a careful investigation, they became satisfied that a Federal court of equity was without any jurisdiction to restrain the action of the council in performance of an act enjoined upon them by the law of the State. Therefore, after a careful, candid, and earnest consideration of the subject, it was unanimouly de-

cided to proceed with the investigation, notwithstanding the restraining order of the court.

The council, on the 29th of September, 1887, confirmed the findings of the committee, declared the office of police judge vacant, and instructed the clerk to notify him of their action.

Upon the receipt of the notice the judge declared his intention to continue to hold possession and dispense justice (?) until removed by force.

The following proceedings were then had and done:

"LINCOLN, NEB., September 30, 1887.

"Marshal P. H. Cooper:

"You are hereby notified that H. J. Whitmore has duly qualified and given his bond, and has been duly commissioned police judge to fill the vacancy occasioned by the action of the city council last evening, and you will please see that he is duly installed in his office.

"A. J. SAWYER,
"Mayor."

The order was promptly carried out. The police judge was bodily removed, and thenceforth it was Judge H. J. Whitmore, police judge of the city of Lincoln. It is needless to say that justice was enthroned, the office honored, and the ermine kept unspotted so long as Judge Whitmore presided.

We had crossed the Rubicon, and were waiting for developments. The ex-police judge, no longer permitted to mete out justice, and deprived of the emoluments of office, was in anything but an amiable frame of mind, and his attorneys, thwarted in their plans, were most belligerent.

Dire vengeance was threatened upon every one who had participated in the investigation or who had aided and abetted therein. The consequence was that the developments were not tardy in maturing.

On the 8th day of October following, the ex-judge filed his affidavit in the circuit court of the United States, setting forth all that was said and done at the September 29th

meeting of the council, from which I make the following excerpts:

"Notwithstanding all this the said mayor and all of said council, except N. C. Brock, proceeded knowingly, wittingly, wilfully, boastingly, and contemptuously to disregard the order of this honorable court in the matter of this injunction.

"Affiant further alleges that on the 30th day of September, 1887, a certain notice was served upon him of the action of said council in declaring his office vacant. A copy of which notice is hereto attached, marked exhibit A.

"Said notice was served upon said affiant by P. H. Cooper, city marshal of said city, and affiant told said city marshal that he would not recognize the action of the said city council, and would not surrender said office until lawfully removed or forcibly ejected. The said city marshal then produced the order from said A. J. Sawyer, Mayor, directing him to see that the said H. J. Whitmore is duly installed in said office.

"In pursuance of said order said marshal seized this affiant by the shoulders and forcibly ejected him from said office, and wrongfully and unlawfully installed said Whitmore therein. ———. ———."

Upon the filing of the foregoing the following notice was served upon the mayor and each of the councilmen:

"WHEREAS, It is suggested of record to us that you and each of you have knowingly violated the injunction heretofore issued in this action,

"Wherefore it is ordered that you and each of you show cause on Tuesday, November 15, 1887, at the hour of ten o'clock in the forenoon at the United States Court room in the city of Omaha, Neb., or as soon thereafter as counsel can be heard, why you shall not be attached for contempt, if said suggestions are true.

"ELMER S. DUNDY,
"Judge."

To the rule to show cause, respondents made return set-

ting forth all the facts in connection with the investigation, the want of jurisdiction of the court to entertain the case, first, because the amount in controversy did not exceed the sum of $2,000, exclusive of interest and cost; second, because a court of equity had no jurisdiction of the subject matter of the action, and gave the reasons which impelled them to violate the injunctional order, and asked that they might be heard by counsel, and that upon a full hearing they might be discharged from further proceedings.

On the 17th of November, 1887, as appears from Journal M of the United States Circuit Court, the cause came on to be heard upon the order to show cause, and upon the return thereto of the defendants, upon consideration whereof it is ordered by the court that an attachment be and hereby is granted for the arrest of the defendants Andrew J. Sawyer, mayor of the city of Lincoln, Neb., and Joseph Z. Briscoe, John M. Burks, William J. Cooper, L. C. Pace, H. H. Dean, Lorenzo W. Billingsley, Robert B. Graham, Fred A. Hovey, Granville Ensign, John Fraas, and J. H. Dailey, councilmen of said city of Lincoln, returnable at ten o'clock, A.M., on Tuesday, November 22, 1887.

Warrants were forthwith issued for the arrest of the offenders and placed in the hands of Deputy Marshal Hastings, who lost no time in making the arrests. The ex-judge was now having his innings, and he and his attorneys were in ecstacies over the rapid progress they were making towards the time when condign punishment would be visited upon the culprits who had despoiled him of office and robbed him of the emoluments thereof. They could see no reason why the kind hearted deputy marshal should allow the prisoners sufficient liberty to return to their homes and bid farewell to their wives and families or close up important matters then pending before the council; but the deputy marshal, who was a resident of Lincoln, and who had had long personal acquaintance with his prisoners, felt no fear but what they would be forthcoming, and allowed them their lib-

erty on promise that they would report in court on the day named.

The journal in the city clerk's office of November 21, 1887, records the regular meeting of the council in the evening of that date, the transaction of a large amount of business, and resolution that "when the council adjourned it was to meet at the B. & M. depot next morning at eight o'clock A.M. sharp."

It was about the hour of sunset on Monday, the day before the time appointed for the hearing, when "Pap" Hastings, the deputy marshal, hurled himself into the presence of the contemptuous councilmen, with those ominous writs which he parceled out to each defendant by name.

After a careful inspection of the documents, Councilman Billingsley, who, with great fortitude, had moved that the office of police judge be declared vacant, was observed to raise his optics from the parchment and gaze with a faraway look to where the sun was descending behind the western hill tops, but Councilman Dean, whose optimistic nature would not permit him to contemplate any ill omens, and whose unclouded nature was ever as serene as a summer's sky, essayed to dispel the gloom that was settling down upon the disturbed defendants by imitating the action of Richmond when he summoned his trusty generals about him on the eve before the meeting with Richard on the field of Bosworth.

Addressing the disconsolate around him, and pointing toward the departing orb, he said,

> "Look ye, the weary sun hath made a golden set,
> And by the bright light of his fiery car
> Gives token of a goodly day to-morrow."

He paused; for the moment solemn stillness reigned. For the time bleak melancholy seemed to mark each pensive prisoner for her own. Meanwhile Dean's eyes swept the heavens as with telescopic vision. Again he broke the silence, "See yonder constellations in the darkening skies, Ursa Minor,

Ursa Major, Orion, and the far away Pleiades. I tell thee for a truth they are, at this very moment, each and all in complete juxtaposition. From boyhood up I have read the starry heavens as an open book. I have learned to cast the horoscope with the same unerring certainty that the whaler casts the harpoon, and I declare to thee, the heavenly signs are all propitious."

Just at this moment, when he was beginning to wax eloquent over objects too remote for the contemplation or comprehension of ordinary mortals, he was interrupted by Councilman Fraas, who, thinking it unbecoming one culprit to occupy so much precious time, gave vent to his Teutonic feelings in the laconic words which have since become historic: "Es macht mir müde."

J. M. Burks said that it was "the winter of his discontent." Pace was heard to mutter that "The paths of glory lead but to the grave," while all the rest joined in the chorus,

"Our honor and our freedom's at the stake
Which to defend we must away and answer to the summons
of the court."

Scarcely had the refrain died away when the demoniac voice of the ex-judge, who had been a silent, unobserved spectator, rang out,

"And my fame on brighter pages
Penned by poets and by sages
Shall go thundering down the ages."

The morrow came; but not the good one predicted by Dean. The sky was o'ercast with clouds. The earth was covered with a mantle of white. The snow was still falling, and the wind was chill and piercing.

At eight o'clock the city fathers answered roll call at the depot and were soon speeding as fast as steam could carry them into the presence of the court whose majesty they had offended. Many of Lincoln's prominent citizens were on board, anxious to learn the fate of their city council. It was here the writer first met the inimitable Walt Mason, dis-

patched by the *Journal* to chronicle all that might befall the reform administration.

No one in the State could wield a more ready, graceful, or graphic pen than he, and the daily pen pictures of the trials, tribulations, temptations, and vicissitudes of the city fathers furnished by Walt to the press will keep his memory ever green in the recollection of all who had the pleasure of reading them. Nor did he, when the bolts of the prison doors grated harshly upon the ears of the condemned, for once desert them, but boldly entered in, snuffed the same tainted atmosphere, drank from the same canteen, sat at the same festal board, slept in the same bunks, and gave the world a true and faithful history of prison life as experienced in the Omaha bastile.

But we digress. An hour and a half's ride and the voice of the conductor cried out, "Omaha!" Alighting from the coach and accompanied by the deputy marshal they were soon on their way to the court house, the observed of all observers.

Reaching the door of the court room, they found the spacious hall of justice packed with legal luminaries and eager spectators. A bailiff in commanding tones said, "Make way for the prisoners!" The way was cleared, and they were ushered across the room and furnished seats in the jury box, at the right of the Honorable Judges, Brewer and Dundy, who had already taken their seats and were awaiting the arrival.

When all were seated, such a deathlike stillness pervaded the room that the thumping of the hearts in the breasts of the prisoners could be heard, "like muffled drums beating funeral marches to the grave."

At length the silence was broken by Judge Brewer, who inquired if the attorneys were ready to proceed in the matter of the contempt of the Lincoln city council? Mr. G. M. Lambertson, their attorney, arose and informed the court that they were ready to proceed, and asked that Councilman Bill-

ingsley might be permitted to show cause why the defendants should not be punished for contempt. Mr. Billingsley had prepared an elaborate review of the investigation from beginning to end, which, to the minds of the councilmen, presented excellent reasons why they should not be punished for their action. He assured the court that not one ill word or harsh term had escaped the lips of any of the councilmen at the time they took the action that had called forth the writ of attachment, but, on the contrary, they had expressed the deepest regret that a judge of so high character, unquestioned integrity, and great legal attainments should feel it his duty to bar their action in an investigation which to them seemed necessary to secure better municipal government; that the mayor and city council had endeavored to act with decorum and propriety becoming their official position; that they relied upon justice at the hands of the court by presenting the justness of their cause. He called the attention of the court to the accession of the city council to the request of the ex-police judge and his attorney—that the case might be heard by the council as a body, and the postponement of the hearing for their accommodation; now he had taken advantage of the postponement to thwart their action; now his attorney had, by misrepresentations in the bill, imposed upon the court; and that without such misrepresentations he felt sure that the court would not have allowed the injunction; that, while there was a bare possibility that the court might look upon their action in declaring vacant the office of police judge with disfavor, on the other hand a sense of shame, disgrace, and humiliation would follow from a failure to carry out what they considered to be their sworn duty in the premises, a disregard of which would bring upon them the criticism, gibes, and contempt of all good citizens, and would continue in office as police judge for two or three months, or probably until the end of his term of office, one whom they deemed utterly unfit for the position and who had brought disgrace and shame not only upon the office he held, but upon

the city of Lincoln; that the council had endeavored to inform themselves upon the legal aspect of the case and were thoroughly satisfied that the court was without jurisdiction to entertain the case, and that the ex-police judge, if he had any cause of action, had adequate remedy at law. That the bill of complaint did not show a sum amounting to $2,000 in controversy, exclusive of interest and costs; that these reasons were offered to show the court that the violation of the order was not done insolently or recklessly or without respect to the honor and dignity of the court, and prayed that their Honors might consider these reasons in mitigation of the offending.

At the close of Mr. Billingsley's statement Mr. Lambertson asked permission to introduce some oral testimony, which was granted. The mayor was then sworn and examined by Mr. Lambertson as to the character and standing of several members of the city council. Allegations contained in the bill upon which the injunction was secured reflected seriously upon the character and standing of the councilmen, and would naturally lead the judge who granted the order to think that the Lincoln city council was made up of gamblers, or those in sympathy with the gambling fraternity, and the purpose of the examination was to disabuse the mind of the court of any preconceived erroneous impressions he might have formed. The testimony developed that all of the councilmen were gentlemen engaged in lawful occupations. That they were men of excellent business standing, honest, honorable, and of high character, and that they had no sympathy or affiliation with the lawless elements of the city.

The ex-judge was then called to the stand by his attorney, Mr. Burr, and detailed minutely the circumstances and transactions of the council at the meeting immediately preceding that at which the final vote was taken and the one at which the question of adopting the report of the committee without reading the testimony was discussed and voted upon.

These were the only two witnesses examined. The exam-

ination took up the forenoon. Court convened in the afternoon and listened to the argument of counsel. Judge Brewer then stated that he would decide the matter in question at ten o'clock A.M. the next day, and the council filed out, as one of the newspapers stated, "with considerable time left in which to contemplate the uncertainties of this life and vicissitudes of aldermanic existence."

Promptly at ten o'clock the next morning the judges were on the bench and the prisoners in the box. It is needless to remark that they were also on the tiptoe of expectation. During the adjournment they had canvassed the probabilities of a favorable or unfavorable decision of the court and had heard the subject very generally discussed. Most of the members of the bar and public sentiment generally believed that the decision would be favorable, and the buoyant expression of hope beamed from the countenance of the members as they sat awaiting judgment. Councilman Ensign was so sure of a favorable outcome that he was heard to whisper to the members of the council that they needn't be worried; that he would pay all fines that might be assessed against them.

Judge Brewer then began to deliver his opinion, the courtroom being again thronged with spectators. The judge reviewed the case at length and proceeded in an elaborate opinion to show that the court had jurisdiction of the subject matter, and that, while the bill was defective in not stating any amount in controversy, yet that was a matter which could be amended. A court of equity had the right to enjoin the proceedings of a state tribunal in a case of the nature presented by the bill. After sweeping away the various objections urged by attorneys for the council as to jurisdiction, he then came to the reasons urged in mitigation of the offense and said that another matter should be taken into consideration: that is, what circumstances of expiation, wrong, or trickery, fancied or real, provoked the action which was done.

"It is," said he, "human nature to resent an act, a wrong accomplished by a trick, and we must always recognize that

as a part of our common human nature. If parties, mistaken or otherwise, fancy they have been tricked into a position where their proceedings are likely to be baffled, it is not to be wondered at that they feel keenly, and the court can not blind its eyes to such a matter as that."

Then he reviewed what the defendants had said in regard to the postponement of the hearing of the investigation and the acceding to the wish of the ex-judge and the alleged deception practised upon him by the council.

"These things," said he, "all come in mitigation. These things all have induced me to feel that I would not be justified in imposing [here every countenance brightened up in anticipation that he was about to say "fine"] imprisonment." A bolt from a clear sky could not have produced a greater surprise than when the judge said "imprisonment." They were counting on complete exoneration. "On the other hand," said he, "they are gentlemen of character and position. They represent the second city in the State, as I am advised, in wealth, in population, and in business. [Here a gleam of hope seemed to animate the tired council.] They are the council of the capital city of the State. If the court should say that men occupying so high a position can disregard the process of the courts [here all hope departed] what may we expect from men having no such backing of position, respectability, and influence? Can we ask the poor, friendless man to obey the process of the court if men occupying positions, such as these gentlemen do, do not? Am I not compelled by the very fact of the respectability of the gentlemen, of the position that they hold, to impose such a fine as shall be a lesson, not merely a punishment to them, but a lesson to all? [At this point the stalwart councilmen showed signs of great depression.] I have tried to look at this case in all its phases, and, while I am very glad that I was able to come to the conclusion that no imprisonment was proper, and it will be unnecessary and therefore an improper exercise of power to send any one of them to jail, I have, on the other

hand, felt that I could not pass it by lightly, and that I ought to impose a heavy fine. I believe that in so doing I shall benefit these defendants and every good citizen of this State if the size of the fine be such that every citizen, high or low, shall understand that this is a government of the law, and that the processes of the courts are to be obeyed, and that every wrong may be righted in the orderly administration of affairs, and that no such proceedings of taking the law into one's own hands as was initiated in Chicago can be tolerated anywhere. Three of these gentlemen voted against taking up these matters: Mr. Briscoe, Mr. Burks, and Mr. Cooper. The fine imposed upon them will be $50 each. The mayor had no vote, but was enjoined from appointing an officer; he had nothing to do with the removing of the petitioner. After that removal was accomplished, although the mandate forbade him to make an appointment, I can well see how one might say 'here is a vacancy of office, not by my action; I can not leave the city of Lincoln without a police judge,' and so acted. The same fine will be imposed upon him. Upon the other eight the fine will be $600 upon each one. The order will be that they pay this fine and the costs of the proceedings and stand committed to the custody of the marshal until it is paid."

Judge Dundy followed, and in a terse and decisive way concurred in the opinion of Judge Brewer.

The generous councilman who had promised to take care of the fines was immediately seen by his fellows, but his pocketbook was as emaciated as himself, for it contained only $10.13. It was suggested by some that even that amount might have served to liquidate the fines, had not the witness on their behalf attributed to them such intelligence and characters as to remove them from the category of ordinary councilmen. As it was, the fat was in the fire, and the only thing left was to be committed until the fine was paid, or their release secured from a higher tribunal.

A hasty consultation was had. In anticipation of the worst

that might befall them, a complete record had been made up, as far as it had gone, preparatory for making an application to the supreme court for a writ of habeas corpus. The record was completed, and Mr. Lambertson took the first train for Washington, D. C., and Marshal Bierbower took the prisoners to the jail at Omaha, Neb. On the way to the jail Councilman Dean grew weary. As they were passing a drug store he told the marshal that he was subject to fits and faintings, and, as he felt his malady coming on, it was necessary for him to get some fit medicine. At the command of the marshal the procession halted. Dean left the ranks, satchel in hand, and entered the pharmacy. In a few moments he returned, apparently rejuvenated, but it was observed that his satchel possessed a much greater specific gravity than when he left. When asked if he expected to have fits enough to consume all that medicine he replied he did not, but thought his companions might before they got through.

They straightway awarded him a vote of thanks, and gave him the appellation of Dr. Dean, a name by which he was ever afterwards recognized.

Dr. Dean now found no difficulty in keeping step, and they all marched with military precision, led by the marshal, up the rugged way to the castle on the hill.

The presence of so many fine looking gentlemen carrying knapsacks, marching in perfect order and martial array in that direction, excited no little curiosity. They were stared at by crowds of men and women, and great numbers of small boys followed the procession, while the dogs did bark as they passed by.

At the command to halt, the weary pilgrims stood in the shadow of the bastile, over whose portal was the inscription:

"ALL HOPE ABANDON YE WHO ENTER HERE."

Each glanced at the writing and then at the other. The sentiment was not reassuring, but it was too late to recant, even had they entertained such a thought. The ponderous iron bolts were heard to turn; the heavy doors swung open,

the darksome dungeon yawned to receive them, and they entered in, the door closed, and Lincoln's reform administration was literally barred from the world without.

"It was a time for memory and for tears."

Marshal Bierbower delivered the mittimus and prisoners to Sheriff Coburn, who in return gave him a receipt for each and graciously received the new addition to his already large and variegated family.

After the marshal had taken his departure, Sheriff Coburn said, "I understand you are from Lincoln." All nodded assent. A moment's pause and Dean added, "via Federal court." The sheriff then conducted his new arrivals to a desk, upon which lay the register of the Hotel De Bastile. Shortly it was illuminated with the autographs of a dozen men, who but yesterday governed a great city, but "now none so poor to do them reverence."

After remarking upon the exceptional page of signatures, he turned to the aldermen and said, "Gentlemen, make yourselves at home. You see I am somewhat crowded. Winter is our busy time. However, you must be content, and I will do the best I can for you." He then departed, leaving his guests in the large corridor.

"Take a chair," said Councilman Dailey, as he sat himself down upon the cold stone floor of the apartment. Some obeyed, others stood up, leaning against the walls for support. In this attitude they took in the situation. A combination and mixture of unearthly odors and stenches so rank as to smell to heaven assaulted their olfactories. "Why," said Councilman Pace, "all the perfumes of Arabia could not sweeten these apartments." Nor was the prospect to the eye more pleasing. Some thirty or forty wretched prisoners, ragged and dirty, some with bloodshot and leering eyes, were loose in the corridor, some standing, some walking, and others lying on the floor sleeping off their last night's debauch. A still larger number of the more dangerous and desperate

class were huddled into the several tiers of iron cells that partly surrounded the open court.

The faithful chronicler of whom we have spoken, writing at the time says, "Their hearts were somewhat troubled when they gazed about the corridors into which they had been ushered and where they were obliged to wait nearly an hour before the apartments intended for them were made ready. It afforded a view of several tiers of cells, packed with the vilest looking crowd of hoodlums ever assembled behind iron bars. And the corridor was also occupied by about thirty or forty of the same brand. A shining light in this apartment was the one-armed light of society, named Pasco (I think), who was recently arrested at Lincoln for swindling in land."

Thirty minutes in this revolting scene and breathing the fetid atmosphere caused a number of the city fathers to experience a feeling of nausea. This was observed by the quick eye of Dr. Dean. He rushed to his satchel, opened it, and took therefrom two huge quart bottles of "fit medicine." Holding them in either hand, he first took a dose himself and then passed the medicine bottles to his companions, assuring them that he had used the medicine for thirty years, and that it never failed to produce good results. The doctor's medicine came like a ray of sunshine into the midst of his companions. When the medicine bottle came to Burks he hesitated. He looked at the bottle, then at the surroundings, and then, addressing his fellow councilmen, said: "Boys, there is no use in talking; all the fit medicine in Christendom would not suffice to relieve me. I have been indisposed for more than a month. I see the portals of the grave opening to receive me if I am not speedily admitted to the sunlight and fresh atmosphere. Here [taking from his pocket a certificate from his physician, which he had taken the precaution to procure before leaving home] is what my physician says. While I would willingly stay by you, yet I am admonished by this certificate and my failing pulse that self preservation is the first law of nature. I have just $50 in my purse. If they

will take it I shall willingly give it for my liberty." Dr. Dean made a diagnosis of the sufferer, and decided that his medicine was not powerful enough to effect a cure, and that Burks should pay his fine and be discharged. This was accordingly done, and Councilman Burks boarded the first train for Lincoln.

An hour passed on. A number had seated themselves upon the cold floor, and were beginning to adjust themselves to their hard conditions, when Sheriff Coburn appeared in their presence. He commanded them to arise and follow him. Again we quote from the same faithful chronicler:

"About five o'clock the prisoners were shown to their apartments, which comprise two large rooms and a small room in the southeast corner of the second floor. They are scarcely dungeons in a literal sense of the word. The absence of chairs, racks, and thumbscrews is apparent to the most casual observer. A highly polished coal stove keeps out the cold air of November in the highest style of the art, while the floors are handsomely carpeted, and lounges and easy chairs are scattered around in a way that would have made John Bunyan write ten more chapters of his Pilgrim's Progress had he been confined here. Fragrant flowers are in the windows, while the walls are adorned with valuable pictures, among which is a chromo, presumably by Raphael, representing Judas Iscariot hanging himself. The distinguished prisoners, contend, however, that the moral value of the picture is impaired, as the only member of the body who could derive a valuable lesson from it is absent. Lace curtains adorn the windows, and handsome chandeliers furnish all the illumination desired. In short, the apartments now occupied by the city fathers of Lincoln are as comfortable as the homes of many aristocrats. It is not at all likely that groans, shrieks, or appeals for mercy will be heard by those without, unless it be as a result of some of Dean's jokes, which are constantly on draught and gurgle around like flowing streams in deserts weary. Their confinement will lack many of the elements of

martyrdom. The lack of that esteemed boon known to orators as liberty will be the chief affliction. A lynx-eyed Ethiopian, who has been so well trained that he already refers to Fred Hovey as "colonel" and Jim Daily as "judge," has been detailed to wait upon them and obey their slightest mandates. A special cook has also been delegated to the task of preparing savory viands for them, which they will eat in a comfortable and spacious dining hall on the first floor, where no other prisoners will be allowed. Parties who have served a term in the Siberian mines freely admit that the punishment inflicted upon the heroes of whom this essay treats is much preferable and not nearly so galling to the spirit.

"The councilmen themselves, while not being superlatively happy, are removed from absolute misery by several degrees. The air of calm resignation that lies upon the face of J. Z. Briscoe is refreshing to the intellectual observer, while his companions are also overflowing with a spirit of 'peace on earth and good will toward men.' At 7 o'clock the gentlemen are thus occupied (the details may be trivial, but they will be interesting to their anguished relatives):

"L. W. Billingsley, W. J. Cooper, Gran Ensign, and H. H. Dean are sitting by the blazing hearth lost in the fascinating excitement attending a game known to science as poker. They seem to control their grief quite manfully, and no sobs have yet been heard.

"A. J. Sawyer is diligently reading a law book, while a look of ineffable calm makes his face a study.

"J. Z. Briscoe is walking the floor like a caged lion, or like a man who has a large concentrated toothache concealed about his person. He disclaims all remorse or anxiety, however, and will endeavor to hold her nozzle agin the bank till the last galoot's ashore.

"Fred Hovey acts like one who is convinced that whatever is, is right. His appetite is unimpaired, and his friends in Lincoln have thus far no necessity to pine or wither away through anxiety about him.

"L. C. Pace is contemplating the game of poker alluded to above with the air of one who has been in the neighborhood himself.

"The balance of them are scattered around on lounges and cushioned chairs, looking as though their agony had not reached an insupportable point, and most of them will doubtless survive the ordeal. The apartments they occupy were formerly used as the sheriff's residence, and command an excellent view of the city. They are clean and pleasant and are furnished with everything necessary for a pious and circumspect life, from a large Polyglot Bible to a copy of Lambertson's petition to a higher court, with the previous translations diligently compared and revised.

"The martyrs will sleep on new cots specially provided for them, with comfortable clothing. These will be brought in during the evening when the curfew tolls the knell of parting day, and removed during the daytime, to make more room for the doomed men when they want exercise. Since they anticipated hard bunks, it is a matter of great encouragement to them that they can 'wrap the drapery of their couch about them and lie down to pleasant dreams' as though they were at home.

"In such a manner has the first day of their imprisonment passed. The ruddy glow of health is still on each cheek, and melancholy has so far marked none of them for her own. Had they been required to enter the dismal cells occupied by the lower criminals, they would have done so without flinching. That they are as comfortable as they are should be a matter of congratulation to Lincoln, for whose sweet sake they are looking out at streets they may not tread.

"Religious literature; sponge cakes, chewing tobacco, and other physical and spiritual refreshments should be sent to Mr. Billingsley, who has been appointed as chairman of the committee on supplies. Communications for the mayor or members of the council should be addressed 'in care of Sheriff Coburn.'"

The apartments were those occupied by Deputy Sheriff Major Houck, who kindly turned them over to the councilmen, to whose kind attention and many acts of courtesy they will ever feel themselves deeply indebted.

The good citizens of Omaha contributed much to soften the asperities of prison life. Chief among these was Hon. H. T. Clarke. To facilitate communication with the outside world the Western Union Telegraph Company, through its gentlemanly superintendent, J. J. Dickey, supplied the councilmen and their wives with telegraphic franks, as did also the express companies.

Their apartments became daily veritable reception rooms. Many of the notables of the State paid their respects by their calls and hearty expressions of sympathy and good cheer, among whom was Governor Thayer, who showed a deep interest and assured the council that if the decision was adverse he would go himself to the President and make an appeal in their behalf; Hon. J. Sterling Morton, who brought with him for their consolation and edification a copy of the Connecticut Blue Laws; Hon. Geo. L. Miller, Hon. Edward Rosewater, Hon. James E. Boyd, who furnished them *carte blanche* to his Opera House; Mayor Broatch and the councilmen of Omaha, who tendered them a banquet, and the ministers of the city who extended a cordial invitation to the pews of their churches.

Many resolutions of sympathy, numerously signed from different parts of the State and from city councils, were received.

Flowers, fruits, cigars, and many other good things came pouring in by express till it became necessary to organize a commissary department with James Daily at the head.

The council availed themselves of the *entree* to Boyd's Opera House and witnessed among other plays, "Alone in London," "A Great Wrong," and "All is Well that Ends Well."

In the meantime Mr. Lambertson was putting forth his best

energies in Washington to interest the supreme court in their behalf.

On the fourth day of their incarceration he dispatched the council that he would have "a hearing before the supreme court the first thing to-morrow, Friday morning, and that the decision would probably be handed down on Monday."

Notwithstanding they were being daily besieged with kind friends, good cheer, and stalwart resolutions, they were becoming exceedingly anxious to learn what the supreme court would say of them. "Eagerly they watched the morrow" for some tidings from the court. They were not disappointed. A telegram from Attorney Lambertson stated that the court had "granted a rule to show cause returnable December 12," and that a "writ of habeas corpus would issue later if necessary."

The fact that the court had granted a rule to show cause lent encouragement to the hope that the court was favorably disposed, otherwise the rule would have been denied.

The council on receipt of the dispatch wired Mr. Lambertson to make some arrangements whereby they might be admitted to bail, until the final decision, and at the same time be relieved from the expense of going to Washington.

The next day, Saturday, the following dispatch was received:

"WASHINGTON, D. C., December 3, 1887.

"*A. J. Sawyer, Omaha:*

"See telegram to the marshal. Judge Miller doubts the power of Judge Dundy to take bail. He thinks Bierbower ought to allow you to go on parole of honor. If not, writ will issue Monday. Don't give bail, for then the marshal could return that you were not in his custody.

"G. M. LAMBERTSON."

Pursuant to the above, Marshal Bierbower was seen, but he did not feel that he could take any action in the matter, as he derived his authority from Judge Brewer, whose mandate he must obey until he received orders from a higher power.

"Between the alternative of jail and asking Judge Brewer," says the chronicler, "the council determined to choose the jail."

Later, however, the following dispatch was received:

"WASHINGTON, D. C., December 3.

"Senator Paddock and Congressman McShane went with Mr. Lambertson to see Attorney General Garland about admitting the mayor and city council to bail, or letting them out on parole of honor. The attorney general expressed great surprise that they should be imprisoned, and said that he would direct the marshal at Omaha to place the prisoners nominally in the custody of the deputy marshal at their homes in Lincoln until the case is finally decided by the court."

Acting upon the order wired him by the attorney general, Marshal Bierbower placed the council in charge of Deputy United States Marshal Allen, who allowed them to return home on parole of honor to report to him should the decision of the supreme court be adverse. This brought great joy to the council, and they began to feel that genuine progress was now being made in their behalf.

They had now been in durance vile six days. Meanwhile the city of Lincoln had been without any government. We again quote from the faithful chronicler:

"About the time the city fathers were breaking camp preparatory to taking their departure for home, they were made glad by a call from his excellency, Governor Thayer. The register in which were recorded the names of the many guests who had paid their respects during the days of the council's confinement had been packed away with many other trophies to be carried to Lincoln. The register was exhumed, and the governor's name closed the list of distinguished visitors.

"After a pleasant chat His Excellency said that he had just come from Lincoln, where a petition to President Cleveland for an unconditional pardon for the mayor and councilmen had been signed by himself, the supreme and district judges, state and county officials, members of the bar, and

business men generally, which petition he would take pleasure in presenting to the President in the event the supreme court denied the writ on final hearing. He further said that he desired every member present to distinctly understand that he cordially endorsed the action of the council in the police judge case from the beginning of the investigation to the present time, and that he was particularly gratified that the councilmen were willing to go to prison in order to test the question of Federal judicial interference with municipal government. He believed they were right, and that they would be sustained by the supreme court. A question of such vital importance should be speedily settled. Judicial tyranny, said he, was the worst form of tyranny, and he hoped it would never obtain in this country. Mayor Sawyer, on behalf of the councilmen, thanked the Governor for his visit and the kindly expressions he had just uttered.

"Firm in the belief that the Federal court had no jurisdiction to restrain them from proceeding in an orderly way to investigate charges of corruption against a city official, they listened to the evidence and declared the office vacant, and it was for this that they are in jail. 'Every great principle of government,' said he, 'has triumphed, if at all, at the cost of individual sacrifices, and if the good old democratic principle of home rule for which we stand shall, by this imprisonment, become triumphant then shall our incarceration not have been in vain.'

"Councilman Billingsley thanked the Governor for his stand in this matter, and for the many expressions of approval given by the state officers, judges of the supreme and district court, and many other citizens of the State. 'We believe,' said he, 'we are right, and, standing for a great principle of home rule, the endorsement of our action by all good citizens of the State gives us great cheer and is a source of great satisfaction. We shall confidently await the decision of the supreme court of the United States to say that we are right.'

"No sooner had word that they were coming reached Lincoln than steps were taken to give them a fitting reception. The time was short, but the success of the event and large number who turned out demonstrated most clearly the position taken by the people of this city in this contest against the Federal usurpation of local authority. The city officers, the police and fire departments were out in force, together with a crowd of citizens, the whole headed by the K. P. band, and about half past nine o'clock they proceeded in a body to the B. & M. depot.

"When the train rolled in cheer after cheer rang out upon the night air. As many as could immediately mounted the car, and the meeting of old friends after years of separation could not have been more enthusiastic. The mayor and council were in charge of Deputy United States Marshal Allen, who, in pursuance of the order previously mentioned, immediately turned them over to the care of his deputy, Major Hastings. When the councilmen were finally permitted to make their way out of the car they were hardly allowed to touch the ground before they were grasped by as many enthusiastic citizens as could get hold of them. As Mayor Sawyer appeared he was grasped by several strong arms, lifted above the heads of the crowd, and carried to the head of the procession. When the vigor of the first greeting had slightly subsided the company moved toward the council chamber, led by the band playing Boulanger's march. Arrived at this place the police and fire departments formed in lines on each side of the entrance way, and as each councilman passed their ranks he was greeted with hearty cheers."

Many of Lincoln's prominent citizens delivered enthusiastic addresses of welcome and encouraged the council in the belief that the day of their final liberty was near at hand.

Gen. Webster, being then called upon, made a few remarks welcoming the council to their accustomed places. The occasion, he said, was one of the best of evidences that the American people are capable of self government. It is one of the

fundamental principles of the government under which we live that every municipality shall have the sole and uninterrupted administration of its own internal affairs, while to the general government shall be relegated authority in affairs in which the whole country is involved, and between our own and other nations. The Federal court, he believed, had no more power to interfere in the local affairs of this city than had a justice of the peace in the state of Iowa. The fine, whether large or small, was a matter of comparative insignificance; but the principle of self government could not be overlooked. The speaker referred briefiy to the manner in which the whole proceeding of the last few weeks in respect to the council of the city had been conducted. No force had been used and everything had been done in the most quiet and deliberate manner. It was not necessary, as has before been done in the history of the world, to tear down the Bastile, for in this land we depend on constitutional rights. It might have been possible to secure the desired writ from the supreme court of this State, but for fear of a clash between state and Federal authority it was thought best to appeal to the highest judicial body in the land. He had, he said, no doubt whatever that the council would be discharged, and when they were the loyal citizens of this city would be out to celebrate the event with their biggest gun. At present the councilmen are still nominally prisoners. If the supreme court should determine that Judge Brewer had acted within his jurisdiction, it must be seen to that the representatives of this State in congress promulgate an amendment to the laws. Such a condition of affairs must not be allowed to exist in a free country. In closing he extended to the members of the council each and every one the heartiest welcome, and assured them that if their fines were not remitted it would be seen to that not a cent thereof should come out of their pockets, and that in this matter of vindicating their rights they have the sympathy of every good citizen.

Responses were made by the mayor and different members of the council, and they repaired to their homes happy in the thought that they were for the time released from imprisonment.

The case had created great interest not only in Nebraska but throughout the United States. It had been widely commented upon by the press throughout the country, and, with the exception of the Omaha *Republican,* all the newspapers, so far as we know, were a unit in defense of the position taken by the council.

On the 12th of December, 1887, the case was most ably argued before the supreme court by attorneys G. M. Lambertson and L. C. Burr, who had filed elaborate briefs therein.

It was expected that on the second Monday thereafter the court would hand down its opinion, and it was thought advisable that the defendants should have a representative present, that, in the event the opinion should affirm the decision of the lower court, an appeal might at once be had to the President.

The mayor was accordingly chosen for this purpose, and, armed with a petition for the pardon of the mayor and council, headed by His Excellency Governor Thayer, and signed by the state supreme judges, many district judges and state officers, and other prominent citizens, he proceeded to Washington, and was present on the coming in of the court on the day the decision was looked for. Case after case was handed down, but not the one in which he was particularly concerned.

As opinions are not given out by that tribunal, except on Mondays, and as there was no certainty that the case would be reached in a week from that time, he felt that he must return home with nothing accomplished. Before returning, however, it was his good fortune to meet Senators Manderson and Paddock, of Nebraska, who manifested great interest in the cause and suggested that they go with him to the

President, that he might become acquainted with all the facts and circumstances.

The invitation was gladly accepted. He was introduced to President Cleveland by Senator Manderson, as the mayor of Lincoln, who was supposed to be in jail. At the same time both senators spoke a good word both for the mayor and his cause.

The President accorded them a hearty welcome, then turning to the mayor he said, "My attention has already been called to the case through the press, and I would be pleased to learn more of its nature and the particulars." The Mayor then gave a brief history of the case in which the President seemed much interested, and inquired of the Mayor when he expected a decision. He told him that it was expected that a decision would be handed down to-day, but that he had just come from the court room and none had been reached. He then ventured to tell the President his purpose in being in the city, that in case of an emergency he might make an appeal for executive clemency.

The Executive smiled and inquired as to the political complexion of the council. The mayor replied, nominally they are all republicans but two; practically they are all democrats, particularly upon the main question—the right of local self government.

"Well, for a fact," said he, "they do seem to be standing for a sound democratic principle—the doctrine of home rule. It is a principle that ought to be triumphant, and I have no doubt that it will." This he said with a degree of earnestness that gave assurance that in an emergency an appeal might not be in vain.

The Mayor returned home. All waited impatiently and most anxiously for four successive Mondays to learn their fate. At length on the 10th of January, 1888, the wires from Washington flashed the news that the council had won. The lower court had acted without jurisdiction, and all its acts were void.

Those desiring further knowledge of the subject are referred to the case entitled *In re* Sawyer et al., 124 U. S. R., 402, which has become one of the *causes celebres.*

A NEBRASKA EPISODE OF THE WYOMING CATTLE WAR.

[Presented by A. E. Sheldon to the State Historical Society at its Session January 10, 1899.]

April 10, 1892, a special train left the city of Cheyenne, Wyo., headed north on the Union Pacific railroad. It made a rapid run over the one hundred and forty miles of mountain and sage brush range that lie between Cheyenne and Orin Junction, where the Union Pacific system taps the Wyoming extension of the Fremont, Elkhorn & Missouri Valley railroad stretching from Chadron to Casper. Here a peculiar piece of railroading was done. Without any train orders, and without the knowledge of the Elkhorn train dispatcher at Chadron, who controlled this line, the Union Pacific special ran out on the Elkhorn track and steamed boldly west fourteen miles to Douglas, where it stopped at the cattle yards and unloaded its cargo.

It was a curions cargo—sixty-five men with horses and equipments, armed with Winchester rifles; several baggage wagons loaded with provisions, blankets, camping outfits, cartridges, and dynamite. In an incredibly brief time this force was unloaded, saddled, mounted, and disappeared on the trail leading north from Douglas to the Powder river cattle country. It left neither rear guard nor messenger. The Union Pacific special steamed back to Orin Junction, switched to the Union Pacific track, and returned to Cheyenne. The wildest rumors began to throb over the wires from Douglas to Chadron. Elkhorn railroad men knew that something extraordinary had happened, but could only guess what it might signify. Passengers arriving in Chadron declared that an army of Texas rangers with cannon and dynamite

had invaded the State, and news of a bloody battle in the cattle country was expected every hour.

For five years conditions in the Wyoming cattle region had been tending toward conflict. Originally a few great cattle companies, representing millions of dollars of capital, had controlled the range. Then the frontier farmer and small stock man began to creep in and settle along the streams. They turned their few head of stock loose on the range along with those of the great cattle corporations. The latter claimed that these few head multiplied with unheard of fecundity—that many of these small stock men, beginning with a yoke of steers and a branding iron, would in three or four years have one or two hundred head of increase—thereby more than fulfilling the scriptural promise to the careful husbandman. The small stock men were denominated "rustlers," which is plains dialect for cattle thief. The rustlers promptly retorted with the counter-charge that the big companies, with their scores of riders, rounded up and branded the stock of the small owners without regard to ownership, and pursued a policy of persecution intended to drive the small men from the homes they were trying to establish in the region claimed by the great cattle barons. The feeling between the two parties grew constantly more bitter. Numerous personal encounters took place. The small stock men continued to pour into the region. The contest was carried into politics. The rustler element had more votes, and, after heated campaigns, had elected officers who sympathized with their cause in most of the cattle counties. The large cattle companies controlled the state legislature and had enacted two laws for their own protection. One was the cattle commission law which authorized a commission (composed of friends of the large companies) to keep agents at the great stockyards in Omaha, Kansas City, and elsewhere, with power to seize and confiscate cattle when shipped there if they were not satisfied of their ownership. The other law fixed dates for the annual roundup in different districts.

The small stock men in the Powder river region had expressed a purpose to hold their own roundup at a date that suited themselves, regardless of the law.

So matters stood when the armed body of mounted rangers disappeared over the Wyoming hills in the direction of the Powder river region.

It was two days later—the morning of April 12th—when the occupants of the "K. C." ranch on Little Powder river, about sixty miles north of Douglas, began to bestir themselves for breakfast. There were two occupants ordinarily —Nick Ray and Nate Champion—small stock men belonging to the rustler faction. The night before two trappers, one an old man named Benjamin Jones, the other a young man named William Walker, had pitched their camp on the river near the ranch. The K. C. ranchmen had invited them into the cabin for the sake of company, always prized in those remote regions. After supper they had beguiled the night until a late hour with stories of frontier life and adventure. At daylight the next morning the old trapper Jones was first up. He took a pail and started down to the spring a few rods distant for water. He was astonished to find the ravine filled with armed men. A dozen rifles covered him, and he was ordered to come forward and surrender. He did so, and was placed under guard. After quite an interval, smoke was seen coming from the cabin stove-pipe. Then the younger trapper came down the hill, looking for his comrade. He was promptly taken under guard. Another interval followed. One of the ranchmen came out. "Don't shoot, wait for the other," said a man in command. Presently the other man came out. He apparently caught sight of something wrong, for he instantly started back into the cabin, just as the command "Fire" was given, and his companion fell, pierced by twenty bullets, in the doorway. His body was dragged in by the survivor, who immediately opened a vigorous fire upon his assailants. For four or five hours the battle of sixty against one continued. Finally the attacking party set fire

to a load of hay and backed it up against the cabin. It was soon in flames and its defender, forced from its shelter, was riddled with bullets a few yards from its door.

The remainder of the story of the Wyoming raid must be very briefly told. The firing at the K. C. ranch had been heard, and within a few hours the story of its dead bodies and charred ruins was flying over the cattle range. A body of two hundred armed rustlers gathered under command of Red Angus, sheriff of the county. The invaders attempted to force their way across the country to Ft. McKinney and gain the protection of the military, but the uprising of the small stock men was too quick for them, and they were driven to bay at the T. A. ranch, a few miles north of the scene of the killing of Champion and Ray. Here they were cut off from communication and provisions, and a siege and battle followed. The sheriff's forces were rapidly advancing a line of rifle pits upon the ranch, and the destruction of the entire force was a matter of only a few hours, when they were rescued by Col. VanHorn and three companies of U. S. regulars, which had marched from Ft. McKinney to their relief in obedience to orders from the war department at Washington.

Not until the surrender of the invaders to the army was it known positively by the public who they were. Then it was found that about one-third the force were the most prominent men in Wyoming business and politics—senators, county officials, wealthy cattle men, and even eastern stockholders in the great cattle corporations. Among them were Major Wolcott, W. J. Clark, Fred Hesse, Col. L. H. Parke, D. E. Clark, Ben Morrison, W. G. Divine, and Charles Carter, of Wyoming, Tom Miller of Chicago, and Dr. Penrose of Philadelphia—all of them men of wealth and influence—some of them millionaires. The other two-thirds of the command was composed of Texas cowboys, the best shots and hardest riders that could be found in the West. The entire force was marched under military guard to Buffalo and quartered at

the hotel. The sheriff came with warrants for their arrest, but was refused access, and three days later Major Fechet, since of the Nebraska National Guard, with three troops of the 6th Cavalry, escorted them to Douglas, where they were placed on a train and taken to Ft. Russell, at Cheyenne. After being kept in the Fort a few days, they were admitted to bail in the courts at Cheyenne, and the great Wyoming cattle raid was ended.

The two trappers, Jones and Walker, were captured along with the "regulators." They were demanded and secured by local authorities, and placed in the Douglas jail against the time of trial of the cattle barons. They were the only witnesses of the murder of Champion and Ray. Their lips were the only ones that could ever be compelled to tell in a court of justice the story of the tragedy at the solitary ranch on Powder river. The murderers were millionaires. The unwilling witnesses were poor, unsophisticated trappers. It was imperative that they be got out of the country.

A livery stable keeper in Douglas was entrusted with the job. He gained access to the witness-prisoners, told them they would surely be killed if they staid in Wyoming to testify, and that if they would go with him they should be given plenty of money and got out of the country safely. On the night of May 3, 1892, the jail was opened in some mysterious way, the two prisoners and the livery man mounted three swift horses, and by riding all night reached the Nebraska line the next day. They took the Elkhorn train for Crawford, where they expected to board the B. & M. night train and get out of the country. They were stopped at Crawford, however, by Constable Morrison, who had a telegram from the Wyoming authorities asking him to hold them until officers from there could arrive. Something had to be done quickly or the whole plan of abduction would fail. Telegrams were sent from attorney H. Donzelman of Cheyenne, counsel for the big cattle men, retaining D. B. Jenckes and W. H. Westover, two of the most prominent attorneys in

northwest Nebraska, and instructions sent them to prevent the return of the witnesses to Wyoming in any possible way.

Following these instructions the Nebraska lawyers secured a writ of habeas corpus from S. M. Ballard, county judge of Dawes county, paid seventy-five dollars for a special train from Chadron to Crawford, brought the two witnesses to Chadron, and lodged them in the county jail, where the writer of this article first met them and learned from their own lips the story of the murders at K. C. ranch and the subsequent vicissitudes they had undergone. Both of them were singularly simple-minded, child-like persons, with very little education. All their lives had been spent on secluded frontier farms or in trapping. They seemed dazed with the swift succession of events that had befallen them, from the burning of the K. C. ranch, through the siege at T. A. ranch, the capture by the soldiers, the Douglas jail, the flight and arrest. They sincerely believed their lives were in great peril, and only wished to get away from all the contending parties and return to the quiet pursuit of the beaver and musk-rat. The old man was past sixty, and remarked to me that it "Wasn't a fur while he had to live nohow," but he would like to save the boy—who was about twenty—any more trouble.

It was Friday when the prisoners were brought to Chadron. The county judge continued the hearing of their case over to Monday. Some of the Wyoming authorities had arrived, and, both parties struggling for the possession of the prisoners, placed a guard to watch the jail and see that they were not spirited away.

Saturday night Deputy U. S. Marshal Hepfinger arrived in Chadron. He stayed around the hotel Sunday and had conferences with the Douglas livery man and the attorneys interested in getting the prisoners away—who were now reenforced by the arrival of a couple of Wyoming lawyers. Monday morning Marshal Hepfinger went before U. S. Circuit Court Commissioner L. A. Dorrington and swore out a warrant for the two trappers, charging them with selling

liquors to Indians. No one but those in charge of that side of the case knew of this. The hearing of the habeas corpus case was set for ten o'clock. Before that time the court room was crowded. Rumor had gone out that the U. S. marshal would attempt to seize the witnesses and carry them off, and many of the small stock men living around Chadron had come in—some of them armed—to witness the proceedings.

The trappers were brought into court and seated together. Marshal Hepfinger immediately took a chair next to them on the right and the Douglas liveryman the one on the left. After counsel on both sides had made their argument on the legal question involved—which was whether the prisoners were lawfully held by Constable Morrison and should be returned to the Wyoming authorities—the honorable county court relieved himself of a very large section of plug tobacco and began slowly to deliver his opinion. After reviewing the case the court said, "I therefore find that these men are held without legal authority and"—here the court looked significantly at Marshal Hepfinger and uttered the words quickly—"Discharge the prisoners."

Instantly the deputy marshal sprang to his feet, placed a hand on each of the trappers and exclaimed, "You are my prisoners." At the same time Sheriff James C. Dahlman, now one of the state board of transportation, placed his hands upon them and produced a warrant, saying, "These men belong to me." Dahlman represented the Wyoming authorities, and his papers were designed to return the witnesses to Douglas. There was intense excitement in the room. A hundred men sprang upon chairs and tables and formed a circle in whose center were the two trappers, the deputy U. S. marshal, and the Nebraska sheriff. Every one looked for a fight, and there was not much doubt on which side the great majority present stood. The deputy marshal had produced a bundle of glittering steel as he spoke, and, with the aid of the livery man and another assistant, proceeded to hand-cuff and leg-shackle the two innocent objects

of all this contention. I shall never forget the appealing, terror-stricken look in the eyes of old trapper Jones as the hand-cuffs and leg-irons were fastened on his limbs and he looked around him at that circle of intense faces.

Meanwhile the opposing attorneys came forward—with the praiseworthy ambition of their class to prevent all conflicts except those which involve a payment of fees. After a prolonged conference, it was announced that Sheriff Dahlman relinquished his claim to the men. The reason given at the time was that the Wyoming local authorities could not put up a sufficient financial guarantee to protect the sheriff from possible loss if he endeavored to hold the prisoners and became thereby involved in litigation. There was no lack of "financial guarantee" on the cattle barons' side of the case. I have it from the lips of those who know that a cash deposit of one hundred and twenty dollars was made by that side of the case with the county judge to "meet all possible costs," as it was phrased. None of this money was ever paid back or accounted for, and the present county judge of Dawes county writes me, under date of December 28, 1898, that he has diligently searched all the records in his office and nowhere in them is there a trace of this important habeas corpus case for which a fee deposit of one hundred and twenty dollars was made. Nor is there any record in the papers of the U. S. circuit court commissioner at Chadron of the complaint sworn to or warrant issued in this case.

The moment it was announced by the lawyers that Sheriff Dahlman's claim for the prisoners was withdrawn, the U. S. deputy marshal pushed the two trappers through the crowd and hustled them at as rapid a gait as they could walk down the middle of the street toward the depot. That May day morning picture in mountain Nebraska—the two innocent, unoffending trappers with glittering steel shackles on their wrists and ankles, the U. S. marshal with his assistants hurrying them along, the successful attorneys for the millionaire murderers accompanying, and the indignant, irresolute local

crowd that followed after—will never be effaced from my mind. It lasted scarcely longer than it might be photographed. As they hurried toward the depot the purpose of their haste flashed into our minds. A turn of the street corner confirmed the flash. There stood a special train headed east, with hot hissing steam blowing off from the engine. The U. S. marshals, the lawyers, the trappers, and the circuit court commissioner hurried on board. Two short shrieks from the locomotive, and the train was moving. Before half the following crowd had reached the platform it had disappeared beyond the hills of the Bordeaux valley.

Two hundred and eighty dollars was the price paid for the service of the special train. It ran a hundred miles east to Cody, a little station in the very center of the Cherry county sand-hills. There it halted, and, after telegraphic communication with Cheyenne and Omaha, the party got off. In a few hours they were joined from the east by deputy U. S. marshals Z. E. Jackson and S. M. Melick, both of whom are now residents of Lincoln. They had left Fremont that morning with instructions from the U. S. marshal's office at Omaha to go to Chadron and secure the trappers. On their way up the Elkhorn valley they had been apprised by telegraph that Deputy Hepfinger had succeeded in the task, and were ordered to go to Cody to meet and assist him if needed.

The prisoners, worn out with excitement and anxiety, were permitted to lie down on the depot floor and sleep, while the rest of the party passed the time with cards until the arrival of the east-bound express, which they boarded for Omaha.

The entire party arrived in Omaha at 5:20 P.M. the next day. They were met at the depot by Attorney Frank Ransom, since then president of the Nebraska senate, who had been retained by the Cheyenne cattle barons. They were driven at once to the Federal building, to the office of E. S. Dundy, jr., son of U. S. District Judge Dundy, and himself circuit court commissioner. Here they were arraigned on the charge of selling liquor to the Indians. They waived exam-

ination, or somebody waived it for them. Their own personal recognizance in two hundred dollars, and two hundred dollars cash bail was required for their appearance to answer the charge. W. A. Paxton, Jr., son of the well known Omaha cattle magnate, deposited the two hundred dollars cash, and the prisoners signed the personal recognizance. They were then taken down town, treated to supper, shave, and hair-cut, their rough frontier trapper costumes replaced with new suits of clothes and then driven to the Missouri Pacific night train, in charge of a man directed to take them to St. Louis.

This is as far as I have been able authentically to trace their story. I am informed by those in a position to know that they were to be given $3,000 each, and from St. Louis were to be sent to Mexico, but my informant was unable to say positively that this was done. At any rate the two trapper witnesses disappeared from the plains of Wyoming and the prairies of Nebraska—never, I presume, to return, and the most diligent search on my part gives no clue of their ultimate fate or present whereabouts.

The record in the Omaha Federal building shows the following upon U. S. Commissioner E. S. Dundy, Jr.'s, docket, docket A, p. 251:

"The United States vs. Benj. Jones and William Walker, selling liquor to Indians, warrant issued by Dorrington at Chadron. 5–10–92. Warrant returned served on Benjamin Jones and William Walker at Chadron, 5–9–92. Marshal's fees, $263.64. Defendants present in court and waived examination. Bail fixed at $200 for appearance May 20, 1892; same given and defendants released. United States attorney directs the taking of a personal recognizance with $200 cash."

"May 27, 1892. Received of E. S. Dundy, Jr., U. S. commissioner, $200 cash, bail deposited for appearance of Benjamin Jones and William Walker, the above named defendants. (Signed) W. A. Paxton, Jr. $8.65. 7–1–92."

Commissioner Dundy explains that the bail was returned

because the grand jury found no indictment against the trappers.

The final chapter in this history is given in the following associated press dispatch from Cheyenne, Wyoming, dated January 21, 1893:

"The case against the twenty-three stockmen who invaded Johnson county, Wyoming, last spring and killed the ranchmen, Champion and Ray, was dismissed last evening, it being impossible to secure a jury; 1,069 talesmen have been examined and no jurors secured. The sheriff made return last evening that he was unable to secure any more talesmen. Prosecuting Attorney Bennett then asked the court to enter a *nolle prosse* in the case, which was done. There is great rejoicing among the stockmen and their families over the result."

The honored President of this historical society, in a recent number of his erudite and caustic family journal, inquired with fine irony what kind of animal the Money Power was—whether quadruped, snake, or saurian—and declared that, in a residence of some sixty years on this planet, he had never seen the creature or even its tracks on the sandstone. I do not know but our honored President may hold the same opinion respecting the slave power—another animal which (whether myth or not) holds some place in the history and literature of our native land. There is a difference of eyesight, I freely grant. Some of us can only see the behemoth when he eats the grass on the family lawn, while to some, like John on the Island of Patmos, or that other John in Bedford jail, England, it is given to see the passions, the loves, the hates, the jealousies, the ambitions, and the evils that throng about our lives from the birth-bed to the pillow of prairie sod that marks the end—in the form of beasts and living creatures.

I do not think that I belong to the class of inspired visionists such as these, but if ever my mind doubted the existence of a real, living, organized money power in America, the

memory of the scenes here recorded—the interview with the trappers in the Chadron jail, their simple, significant story, the burning ranch and the murdered ranchmen on Powder river, the march of the military to the murderers' rescue, the breaking of the Douglas jail, the special trains, the array of legal talent and U. S. marshals, and finally the photograph, indelibly printed on my brain, of two innocent men (known by every one to be such) marched in chains through the streets of my own town and borne away to defeat the ends of justice by the highest power of that government, framed by our fathers to secure liberty and equality among men—these would silence the doubt.

When great wealth can command not only all the triumphs of modern learning and invention, the railway, the telegraph, and the legal fraternity, but beyond that—when it can move the army of the United States and the very machinery of the United States courts—not to punish crime, but to steal witnesses that murder may go unpunished—when it does these things openly in the face of the American people—it will require more even than the singularly gifted pen of our President to convince some of us that the Money Power is nothing more than a political Mrs. Harris, the goblin of some garrulous Sairy Gamp.

In Herndon's Life of Lincoln (vol. 1, p. 67) is told the story of the Flatboatman's visit to New Orleans in 1831. For the first time in his life he saw men and women chained together and sold from the auction block. Bringing together his fists he said to John Hanks, "If ever I get a chance I'll hit that thing (the slave power) and I'll hit it hard." There were some Nebraskans who expressed the same sentiment to each other as they witnessed the chained procession hurried down the street of the metropolis of Northwestern Nebraska that May morning of 1892.

RECOLLECTIONS OF OMAHA, 1855–61.

By C. Irvine, Oregon, Mo. Read at the Meeting of the Society January 11, 1899.

I arrived at Omaha on the second trip there by the steamer so named, in the spring of 1855, forty-three years ago, and it seems like yesterday. V. Berkley, A. M. Snyder, and Theo. Dodge were among the passengers with whom I became very intimate. Parker, the United States land register, was also along. It had been raining very hard for a few days, but cleared off warm the morning we arrived, a lovely May morning. I remember seeing Captain Moore and Wm. Clancey standing conspicuously on the town site not far from the Apex saloon, kept by Kimball, and pointing out city lots to new arrivals. One of our passengers, a German, had bought a lot in Omaha from some speculator on board for about $400. It was not far from the Douglas House towards the river. It was part of a ravine, "a hole in the ground," and he made an awful fuss. We all sided with him, saying it was a perfect swindle. "The price was awful for a mere hole in the ground," was the general opinion, so green were we newcomers on western lot speculations. My recollection is that the man or some other one, got $800 for the hole soon after. Mills was running the Douglas House and taking in more money than everybody else, as prices for rooms were very high. August Kountze, who was a passenger, and myself occupied adjoining "rooms," as we called our beds, and many laid on the floor. Snyder had his wife and a colored nurse girl, a slave, along, and the cost of living scared him. He proposed that Dodd, himself, and I should make an expedition towards De Soto, the most ambitious city after Omaha then in the Ter-

ritory. It was right on the river and "had a permanent landing." It was exactly "opposite the great north bend of the Platte,"—therefore sure to be a railroad terminus. We wandered along on foot for some distance, accompanied by a lot of Indians. These were escorting a white girl, who rode a pony and seemed to belong to them. Footsore and weary, we by sundown found a man named Judge McDonald "holding a claim" in the high grass, who pointed us to Fort Calhoun, where we could be lodged. By dusk we got there. There were but two or three cabins on the whole town site. A large double cabin with an upstairs was the hotel, kept by George Stevens. Well, we had a good supper and rested, and were refreshed. Old Mr. Mather, the father of Mrs. Stevens, his wife, and son Ed, a young man, were members of the household. Mrs. Stevens, a kind lady and splendid housekeeper, made it like home. In pleasant converse the evening was passed. In the morning we admired the exceeding beauty of the situation. In truth there are no lovelier landscapes than all along the Missouri river, and right there was one of the most glorious scenes eye ever beheld—as nature left it. We went up to De Soto, greatly disappointing the friends we had made, who hoped to retain us as citizens of Fort Calhoun. We were greatly disappointed at De Soto—a cluster of cabins in a hollow by the river. We found nobody, and nothing there to invite us. One ——— kept the hotel and Bill Clancey ran the town, though he lived mostly at Omaha. There was a place, called Cuming City after Secretary of State Cuming, a few miles above on a fine site, but far from the river. Jim Stewart, a prominent citizen there, I soon after made acquaintance with. Both the places have departed the earth, and their very sites have been forgotten. The river is now miles away from where De Soto was, as it once was where Fort Calhoun now is.

Returning, we stopped again at Fort Calhoun, and when I left the next morning I promised to come back and live there, as I was perfectly sick of the wretched accommodations, the

crowds, and dissipations of Omaha. I had no idea that Omaha would ever become of much account. In fact there were fifty town-sites equally ambitious. So I returned to Fort Calhoun and took up my residence with the Stevens family. Amid their primitive times and ways, I never enjoyed my life more. We were all contented, hopeful, and equal. About a dozen more houses were put up there that season and a good saw mill by one B. F. Littell with Alonzo Perkins and old man Allen. Lumber was in such demand that many teams from even near Omaha would be seen waiting for their turn to be laden. At one time cottonwood brought $150 per thousand. These men got their logs right around them at no cost whatever for one stick—mill right in the vast woods of the bottoms—and yet ran in debt, rarely paid their hands, and just hobbled along. Bad management.

At that time E. H. Warner, a young man, general laborer, was laying the foundations of a large business and fortune by his industry and good sense. He worked at the mill, had a land claim, and sold out when the crash came. He went to St. Louis in 1859, or about then, and with his experience in timber acquired as a work hand, he soon became so necessary to the lumber house there for which he worked that, to keep him, a partnership was proposed. Mr. Warner is now one of the wealthiest citizens of St. Louis. His residence, opposite the waterworks, is a fortune in itself.

The chief business of everybody was claim taking, under a rascally act of the legislature permitting us to mark out half-sections as claims, instead of quarter sections as provided by Congress; and to purchase as many claims as we could. Strangers entering our country later with lawful designs were surprised often to find old raggamuffins waving their arms over thousands [of acres] of the desirable lands as their own, and [were] often obliged to pay enormous prices for a spot to settle on. But under this system of yielding all to speculation we have literally wasted the heritage of future generations. Not a thing is left for those who come after

us. People traded in claims [320 acres] and city lots as elsewhere they did in horses, niggers, etc. And indeed town shares and claims duly recorded in Nebraska were largely traded over the river in Iowa for cattle, flour, etc., whisky, too. As lands were not in market, money was abundant, and labor was the dearest thing and most desirable. A Mr. Kuony and wife, two Swiss people, he acted as hostler, she as chambermaid, at Stevens's house, and he, by simply sticking to whatever came to him, amassed a large fortune, whereas all the high-flyers went under for good. I remember when standing in the road before the "hotel" and stopping tramps as they went by with wallets on back, soliciting them to stop at Fort Calhoun, being laughed at by A. S. Paddock, a writer and boarder.

"What good will such men be?"

"Of more use, one of them, than you and I, and a hundred more like us," I said. "Labor is what we need."

Often these tramps would say, "At De Soto they give a man a lot if he settles there." "We give you two," I said, and often got a settler thus, who built a house, and that was more than a regiment of us tender-fingered gentry ever did. The great mill put up at Fort Calhoun was gotten there in just that kind of a way. A young Van Lear of Montreal, Canada, was induced to stop and bunk with some fellow in the bottom all winter. This led to his selecting Fort Calhoun as the place for the mill, afterwards owned by Elam Clarke. I remember one day meeting a fellow on a pony far down in the bottom miles away from the town-site. It was early spring. He called out:

"I say, stranger, is there a place called Fort Calhoun anywhere about?"

"Yes," and I pointed the direction.

"Do you know any such person as Van Lear?"

"Yes. He lives about here. I think you will find him at or near the saw mill."

"What does he do?"

"Nothing but hunt. He is waiting for a flour mill to arrive here."

"Well, I swear—I never believed it. I told the captain that there must be some mistake about the direction. You see, it's on our boat, which has just landed over there. No road, no landing, no sign of human being, so I got on our pony and rode this way, and was just about to give it all up."

The result was he went and found Van Lear, who had no money to pay the freight charges, $1,500. It was the greatest flour mill ever brought up the Missouri river then, and I think it was Van Lear's share out of an estate. Nobody but Elam Clark had money enough to pay the freight, and Van mortgaged it, borrowing at about 30 per cent and losing the whole thing after years of struggling. O! When will we have a government that will protect its wretched, struggling people, its most necessary citizens against loss of homesteads, and by abundant supplies of money at a half per cent interest? But government must not compete against individuals. About four centuries ago the Swiss of Appenzell all started a government under which every family should have an inalienable homestead, non-taxable, and money enough was provided to keep interest nominal. Under these simple preventatives not one homeless family or destitute person has ever been known. Some are very rich; none are poor, and a writer in the *Atlantic Monthly* of August, 1869, says every family lives in what we would call palaces. Who of us that helped settle Nebraska and saw our first equal society so happy under real hardships because we were equal and hopeful, and saw so soon enormous wealth develop on one side with enormous poverty on the other, is not able to see the causes of idleness and poverty, those parents of all crime? Our little society soon witnessed deeds of violence and murder, begotten of that greed for claims created by scandalous acts of territorial legislatures—acts made contrary, also, to the supreme law of the land. The town-site of Fort Calhoun was "jumped" by a De Soto man—the jealousy against Fort Calhoun grow-

ing out of its being the county seat. Davis, the jumper, took his place in an old cabin by the river bluffs, a remnant of the old fort itself—the place being the original Council Bluff. The river, with its surrounding bluffs, enclosing a vast amphitheater some twenty or more miles in diameter, and the Indian name, we were told, signifies "the Council Bluffs." By the way, the Indians told me that Omaha means "Against Current," A tribe of lower Missouri dividing—one part going "Omaha," against current, the other "Nemaha," with current. Well, Davis was surrounded by the Fort Calhoun town speculators. Some firing began—he shot one dead and badly wounded another, and then the surrounders dispersed —carrying their dead and wounded with them to Council Bluffs, where they belonged. Davis got away somehow and matters were settled. There were several murders on account of claim jumping—the jumpers often proceeding under the United States preemption act, giving 160 acres, while claims were 320 acres under club law and as much as one could buy. The first building called a court house ever put up in Nebraska was erected at Fort Calhoun about July, 1856. Elsewhere buildings were used for courts, but this was the first building designed and built for that sole, distinct purpose, and I helped raise it. When done, we had a few remarks on the occasion, after our American custom, to the effect that "We here, a few pioneers, were laying the foundations of empire, and humble as were our beginnings, some of us might live to see these lovely landscapes now resting under the adornments of nature, crowded with industrious populations and dotted everywhere with cities, towns, splendid villages, and with temples towering toward the heavens of the everlasting God." These remarks were made by the venerable Mr. Mather, a splendid old man of antique type, in whose company I ever took great delight—the father of Mrs. Stevens and grandfather of Mrs. Mary Runyon of Council Bluffs. Snyder and Dodge, or Dodds, went into banking and real estate. When the war broke out Theodore Dodds enlisted

and was captain of a Colorado company, and was very soon killed in a fight in which he displayed marvelous courage. Snyder went to Oregon.

The way men drank then and there, who drank at all, was a caution. I observe every soul of them died in a little time. For two or three years they looked well and were very gay—then bloating, they rapidly broke down. A couple of high governmental officials invited me to ride with them over to Council Bluffs from Omaha. We must take a "nip" at the hotel bar before starting. At the crowded bar the rule was "fire and fall back" for room for others. Once in our carriage the bar assistant was ordered to bring out three drinks. Going a block, General ——— ordered a halt and more drinks. "Isn't this loading rather fast, General?" I asked. "Silence in ranks. Obey orders," was the reply. And so on at every opportunity, and they were numerous, and then at the "Half Way House," and then at a house where a sign said, "The Last Chance," at the ferry, and when across, "The First Chance" met our eyes—then another "Half Way House" on the way to Council Bluffs, and then a drug store at the entrance, near old Pacific House kept by Bayliss, whose brother, old Major Bayliss, was a character—an old Virginia gentleman and bachelor. "How are you, Major?"

"Tip top, sah, tip top! How do you like my style, sah?"

These sayings of his were by-words. Long before reaching the drug store I was obliged to evade, throw away, hide, etc., and my friends were too much occupied to notice. But I left on plea of business, and seeking for them next morning, I tracked them from "groceree to groceri," far up town, where I found the general on a high table, playing at a violin, amusing a half-drunken crowd, and was assured that he had made his way from place to place all night long. When I proposed to return home, he cried out, "Not yet, my lad! We are going to make a night of it." So then I left and got back by the best means I could. It seemed to me that for two years life among these Omaha fellows was a constant spree,

and more because of that, foreseeing the consequences, did I retire to Fort Calhoun. All the money on earth can not compensate for a broken constitution—and unless I could have found some church, joined it, and lived under the sanctuary, I knew the society of Omaha would ruin me. We had men "from all parts of earth and some of the South Sea Islands, too," even at Fort Calhoun, before six months. And we had as bright and splendid examples of manhood as ever were to be found at Omaha and vicinity—men who had been everywhere, seen everything, able to do everything, and had legislation been for the human race instead of for private greed, there had been the grandest chance for its display. But, then, there was "that sum of all villainies, slavery," to be wiped out first, and why talk of it? We have inherited from mother England some sore diseases, and much of the rot of orientalism—a leprous defilement whose subjects may require our entire continent for their isolation.

We had six banks for our little population of less than six thousand—banks of issue—and money was plentiful until the crash of 1857. I have never believed that panic came to us from our speculation. We of the United States, after a long spell of bad times from 1837 up to 1850, had barely begun a career of prosperity that promised to last. Railroad building had just been projected, and the whole [country] west of the Mississippi River was just opening up to immigration. Nothing done, everything just ready for doing, when a sudden call on the Ohio Life and Trust [Company] for a paltry fifteen millions of gold closed as by magic every business house in the United States for a few months. Cotton, selling at 15 cents, fell to just anything the planter could get in gold,—no silver—all paper on specie basis, yet California pouring out fifty millions per year. It is now known that the panic here was made by our British customers *to put down cotton* at the very time it was coming to market. It did so, and as soon as they had loaded up they left us to get out. But the evil on Nebraska was lasting and terrible. All

our bright prospects vanished in one hour, and we lost half of our most energetic citizens.

The winter of 1856–57, ushered in by a deep snow about December 1 of nearly four feet, ending with a blizzard, was long and severe. Many of us had never seen a blizzard, and nearly lost our lives by exposure. At one time the mercury at Fort Calhoun stood forty degrees below zero, and the south wind coming on to blow a furious gale with the mercury at 25 degrees below zero all day, we had such a time as is rarely felt. Snow blew several inches deep into most houses, yet we were all jolly and in high spirits, looking for a big immigration, and yet your vile immigration laws keeping it out. The Indians wandered up and down in large numbers and had plenty of meat from the dead cattle lying around. Wolves, too, were abundant, and deer would not get out of our path to walk on the crusted snow that broke and cut their legs. Hundreds were thus killed by a blow from a club, and for a time venison was about our whole living. Gangs of large gray, black, and brown wolves would cross right over the town site, and several times I have almost met them right on the ridge just back of the old tavern stand. The last time I ever saw the buffalo we were about fifty miles west of the river and there seemed to be millions, as far as the eye could reach extended the moving crowd, and it took days in moving south.

I left Nebraska on account of the panic and came to Missouri here at Oregon, Holt county. What a wonderful difference in climate that hundred miles makes! I married Miss Ann K. Johnson, eldest child of Hadley D. Johnson. Our second child, Louis, was born at the old farm house now in Omaha, where we lived in 1861–62, having returned. One anecdote and I am through. It is to show on what trifles our whole destiny may depend. One day in the summer of 1857, a lot of us Fort Calhounites had started homeward from Omaha, where we had been visiting. As we drove along some one proposed we should stop to go into a saloon under

the old exchange bank. Others opposed it, but finally we stopped. In the saloon was a man by the name of Grant, electioneering for Col. Thayer for Congress. I told him Thayer was my man, as he was the only anti-Nebraska bill democrat running.

"Let me introduce you and we will fix things." An introduction followed. I agreed to work for Thayer. I arranged how we should carry Washington county unanimously for him. I was to pretend to oppose him bitterly and that would fix about two-thirds—my enemies—for him. And I had only to whisper to my friends. This indirect way puzzled Thayer, but I assured him it would work. Then I went to work doing all I could for him south of Platte, going up and down on steamboats and other ways. Thayer was beaten, but our county went almost to a man for him. In electioneering I made many acquaintances and friends, so when I left Nebraska, being ill, I concluded to stop here (Oregon) for a day or two before going down into Arkansas. I never dreamed of staying here. I was in low spirits, glad no one knew me, in my reversed fortunes. But I saw there was some money here, gold, and considerable traffic. As I walked out, the first person I met was a gentleman I had learned to know while electioneering for Thayer. He recognized me forthwith and introduced me to all the people we met on the street, and nothing would do but I must stop here and open out a law office. He assured me plenty of business. All the people I met were equally urgent. I finally did so, and soon had a thriving business. But for having met Thayer I never had made the man's acquaintance.

Early in 1861, as I was going up to Nebraska on a boat, Lincoln's new governor was aboard. We became well acquainted. Learning I was an old settler, he very earnestly asked me who was a fit man for him to make the Colonel of the First regiment, then forming. I assured him that there was but one man who had the least pretensions to military skill or love of military life, and that was John M. Thayer,

and gave him several reasons why. The governor said that there were about fifty applicants. I saw a white haired, pimple-faced youth standing near, with long hair, who did not like the talk. He was the private secretary, and some one had soothed that itching palm. When we arrived, the first man I met was Thayer, who asked me if I knew the coming governor, and to say a word for him. I told him to keep away from me, not be seen talking with me, as I had fixed it, I believed. In fact, the governor had said he would appoint that man I had spoken about. And he did so. So you see how our fates hinge on mere trifles.

DEATH OF LOGAN FONTANELLE.

Prepared by T. H. Tibbles from Story by Iron Eye.

I don't know about your years exactly, but I think it was in July and the year 1856. We went out toward the Pawnee reserve to hunt. We camped near the creek called by the Omahas, Beaver creek. That was the first year we went buffalo hunting along the Elkhorn (after we came to this reserve). We advanced, crossed the Elkhorn, and came to another stream that flows into the Platte. In going forward we came across buffalo twice. As we went forward, toward sundown, Louis Sansouci went up on the hills to keep an outlook and saw a Sioux. I saw his signal and ordered him to come back. I took the swift horses and the young men and gave chase, and all the camp followed on after us. We were about three miles ahead of the main body, and it was about sundown when we caught sight of the Sioux by the flash of the sun on a gun barrel, as they lay hid in the grass. As it was getting dark, I ordered the Omahas to stop, for I felt sure that the Sioux would attack us during the night. I sent out ten young men with the swiftest horses to keep watch. They got between some of the Sioux and their main body, and an Omaha, the oldest one among them, got so near a Sioux that he tried to strike him while he (the Sioux) was alive, instead of killing him as he ought to have done, and the Sioux escaped. The Sioux ran back and got behind some woods and then suddenly dashed out and killed this Omaha. Our young men fell back, but they left one wounded Omaha on the field. I held a council. Logan said, "We will go back in the night, bury our dead, and get the wounded," but I said

"No; we will prepare the camp to fight, and if they attack us in the night we will fight." In the morning we went back and found Sansouci still alive; the other was dead. Near this place the Sioux attacked us again. I took ten young men, all of whom had swift horses and guns, and started with them. An old man detained me by talking to one of the young men. While I stopped, one of the young men, without orders, rode to the top of a hill. I called to him to come back, but he did not hear and rode on. He got a few rods over the hill when the Sioux made a dash and killed him. After that the young men followed me instead of going ahead. I pushed on very hard after the Sioux, but could not find them. There were only three of these Sioux, and Spotted Tail was one of them. It was Spotted Tail who killed the man. Spotted Tail had his wife with him, and she was in the Sioux camp at that time. The present Spotted Tail was in the camp also. He was tied on a board. Spotted Tail was a foolish young man at that time. He had a fast horse, and when all the Sioux were in plain sight he rode alone almost into the Omaha camp. Twice he did it, with our young men shooting at him. I was on the other side of the camp, too far away to get a shot. All of the Sioux were swinging their blankets and calling for him to come back. When he was older he would not have done so foolish a thing.

After that the Sioux moved away, apparently going back to their reservation. I sent men who followed their trail a long way. We camped where we were and buried our dead. We could not give up the hunt, for it was our only means of living. We moved slowly along Beaver creek, going toward the Pawnee agency, and camped at a fork of the creek. I killed a good many elk. Logan had a splendid bay mare that I had given him. She was the fastest horse in the Omaha camp. He also had a double barreled rifle, which I had made a present to him. It was a good gun, and would shoot twice without reloading. We were very great friends.

Logan, like Spotted Tail, was foolishly brave. Early in

the morning we broke camp, and I went on ahead. I started while camp was breaking up. Logan followed about a mile behind. I came upon some elk and wounded one and followed on after it. Logan went straight ahead and did not know that I had turned to one side to follow the elk. On a high bank of the creek, covered with thick underbrush, I killed the elk and tied it on my horse. I used my lariat to tie the meat on. That morning an old man had borrowed my hunting knife and did not give it back. I turned the horse loose and sat down to have a rest and a smoke. Just then I looked back and saw the Sioux coming up on both sides of the Omahas, who were on the march. The Sioux were yelling with all their might, and that frightened my horse, and it was with great difficulty that I crawled up to him and caught him. I had tied the elk on with such hard knots that I could not quickly untie them, and I had no knife to cut the lariat. So I jumped on the horse, heavy loaded as he was, and made a dash for our lines. I just got inside, but Logan was cut off and surrounded. Logan could have made a dash like I did, but he laid down in the grass and attempted to fight the Sioux alone. His first shot missed, but with the second he killed a Sioux. The Sioux thought that there were two men there, and those in front halted. Another party of about a dozen made a charge on him from behind. Logan had reloaded his gun, and as they came up he turned and killed two of them. The party that were in front dashed in before he could reload and killed and scalped him. Then they retired to the brush where I had killed the elk, which was a foolish thing for them to do, for while they were there I got the camp together and the men, women, and children, with their hoes and their knives, dug pits from which we could fight all around the camp. After awhile the Sioux came out with a great rush, yelling at the top of their voices, but I was prepared for them. One of them rode Logan's horse and swung Logan's scalp in the air.

The fight lasted about three hours, but I fought them off

from our pits. We killed two or three of their horses, wounded two or three, and I think killed one. We had several horses killed and one man wounded.

After the Sioux retreated, I sent out a party, led by Two Crows, to look for Logan's body. They found the body and brought it in. I strengthened the camp and stayed there that night. In the morning I broke camp and started for Bellevue with Logan's body. Logan was a very brave man. I suppose he thought that he could lay in the grass and fight off the Sioux until the camp came up, and he supposed that I was still on ahead of him and if he fought there it would be a help to me, I being, as he thought, still farther ahead. Sometimes I have thought that if he had not had that double-barrelled rifle he would not have stayed there.

(NOTE—This account of the battle in which Logan Fontanelle lost his life is from notes taken down by me in 1882. I asked Iron Eye to tell me the story, as he was in command at the time the fight took place. The words in parenthesis in the fifth line were not very legible and I am not sure that they are correct.)

REMINISCENCES OF THE CRUSADE IN NEBRASKA.

Mrs. Harriet W. Leighton.

This midwinter meeting of the old settlers' reunion has been looked forward to with happy anticipations by each member, I am sure. In my poverty of expression I have been requested to write, for this occasion, a few reminiscences of "Nebraska Woman's Crusade," that wonderful uprising of women which occurred December, 1873 and 1874. In behalf of the noble women who participated in that movement, many of whom are yet doing yeoman's work in their struggle with one of the greatest problems of the age, I take pleasure in acceding to the request.

There have been crusades and crusades, but only one "Woman's Crusade." Many times has the question been asked, "What necessitated the crusade?" What its mission? The spiritual vision necessary to a correct understanding of Scriptural truth is the only medium through which the crusade can be intelligently discerned and its mission interpreted. The esprit de corps of the inspired army of Christian women will always be an enigma to those who never came within the radius of its divine influence. The movement had no precedent. It owed its origin to no church, organization, or individual. Neither was it the result or outgrowth of previous effort. It was independent of all human agencies, except as individuals were used as God's instruments. "It is of the Lord" was the universal sentiment.

The crusade, we believe, was a call from God to the women of the nineteenth century, bidding them to arouse and startle the world, making known the enormity and strength to which

the gigantic liquor traffic had grown. The hour was crucial. Four years of civil war had left its blight upon the morals of the people. Temperance laws, when any existed, were dead letters on statute books. Reform sentiment had ebbed down to the low, dead levels of despair and apathy. Old methods failed to arouse the people. The saloon long had been coming into the home, blighting its loveliness, destroying fondest hopes, wrecking the brightest intellects, and making an army of suffering women and children, widows and orphans.

What could woman do? For years multiplied by years she had been the greatest sufferer from this devastating scourge. A great cry went up to God from stricken homes. It was the Egyptian cry. The dead were there, slain through strong drink. Father, son, husband, brother, and the whole land moaned. Hundreds and thousands of the flower of American manhood were bound in chains to the monster Alcohol. Thousands annually scourged to death by this haughty Nero. Tens of thousands of mothers were weeping, begging piteously for life of sons, heart-broken wives pleading for idolized husbands; and while their prayer was yet on their white lips, the poor, degraded, dishonored victims were launched into a drunkard's eternity, unprepared. Thousands of new devotees were constantly pressing forward into the ranks of drunkards; for the sacrifice of human life was unceasing, and, with rites as monstrous as those of the Druids, taking ofttimes the fairest and best out of homes to propitiate this idol—the great Moloch of intemperance.

But what could woman do, we ask again, to keep the demon from her hearthstone, who was plotting the destruction of her home, sitting even upon the edge of the cradle, waiting for its victim? She had no help from man, no expectation from the legislature, nor faith to believe that the vile, reeking traffic would be bound hand and foot by the strong arm of the law. She could only go with her sorrow to Jesus, and tell it to Him. The cry that went up to heaven from wretched

wives and agonized mothers was heard. God said to the womanhood of the land, "Arise! go forward!"

It has always been a precious thought to me that whenever the Lord has a work to be done He has somebody ready to do it. In this work it was to be that of woman. It was through the discipline of great sorrow and suffering that the women of this land were prepared for the work God had for them to do.

God's command was heeded, and women went out from palace and cottage to help redeem our native land from its greatest foe. The banner of the cross was spread over them, and "God wills it" became their watchword.

The crusade fire first began in southern Ohio, at Hillsboro, where the liquor traffic for weeks was shaken to its center. Phenomenal was the success attending the work everywhere as it spread from town to city, city to state. The whole country was startled at the uprising. It was like the firing of the first gun at Fort Sumter. At once it became the topic of the religious and secular press. It was discussed in centers of trade, on street corners, everywhere all over the land.

The idea of saloon visitation, at first, was appalling to cultured, Christian women. Many a one said, "Surely God does not require this of me!" Yet, after going to their Bibles and closets for light and guidance, God revealed to them His will. Many responded, saying "Here, Lord, am I! Send me!" Hundreds went out who had never before heard the sound of their own voices in public. The joy that came to each woman that participated in the crusade will only be exceeded in the Great Beyond.

The work continued to spread. Women prayed in billiard rooms and before bars. Their voices were heard in beer gardens, in warehouses, and along the docks. Songs and prayers were heard above the confusion that reigned. Never were such prayers offered, and such earnest appeals, as during the crusade. In some of the larger cities the women were mobbed

and imprisoned three months for praying and laboring for the overthrow of the liquor traffic. We, of this state, listened and wondered. Shortly the crusade fire was kindled in our capital city, the light of which may never grow dim.

Memory lingers very tenderly, as I look back through the mists of the years that have gone so swiftly, and I seem to see again that band of noble, cultured women—classical education many of them possessed; not illiterate women made up that band, as so many have formed the idea in their mind—come together to counsel and plan for the crusade work here. A feeling of tender compassion for the suffering multitude under the power of the liquor traffic took control of hearts, and with one accord we gathered to our altars of prayer.

I see again that band of women—small at first, afterwards numbering hundreds—marching up and down our street, and I feel the magnetism of the impulse that sent them forth. The minutest details of the crusade days are photographed in every crusader's heart and hanging in the "halls of memory"—pictures that time can never efface. Who can forget those meetings where the pledge and cross came together? I see through the haze of time that crusade brigade sweep along over our city. The "Devil's Den" is flanked, and foothold obtained that some day will bring the promised relief to those waiting through the silent hours of the night, "watching for the morning" of that promised day.

I seem to hear again the singing of the "Rock of Ages" hymn and "Give to the winds thy fears" and prayer ascending to heaven's altar from saloon centers. It tells that "the battle is on." An inspiration from the God of Battles fired the hearts of these women led by brave leaders, many of whom are now silent in death. The first saloon visited in Lincoln was that of Andrew's. For men to enter a saloon was no unusual sight, but for women to enter such doors to sing and pray was a sight upon which God and His angels had never looked down before.

The Lincoln crusade band entered this stronghold of Satan

with fear and trembling, yet firm in their belief of duty, joining hands with each other, lest their courage should fail them while in this den of death. Our sainted Mrs. Hardy said to the writer that the saloon was as near like unto the description of the infernal regions as it would be able to liken a place unto. Here was heard the clinking of glasses; the most fearful oaths ever uttered over gambling scenes. Here was seen the passing in and out of young men with life and hope before them, old men with life and hope behind them; gray hair in the saloon, and clustering brown curls, dignified, manhood, those who like to be called business men, men in respectable places, men wielding the pen that educates the world—this was the class of men they found inside of those walls. What a revelation! What a train of unthought and unseen things startled the vision of these women! How their hearts went out in motherly sympathy to the sweet, boyish faces of many a beautiful boy away from home, and the mother whose hands had lovingly caressed him. Stirring addresses were made and appeals given asking each to reform and lead a new life. Pledges were given by some present, who resolved to live a life of sobriety henceforth.

In Kleutsch's saloon the band gathered for service one night. There was present also a large gathering of men. The prayer and song service had closed and the women had just crossed the threshold of the saloon, going to their homes, when suddenly the floor gave way, but God shielded the women from harm and danger. One other evening they were holding a meeting in the same saloon, when suddenly the lights were extinguished. The proprietor made his exit and locked the praying women inside. They went on with their songs and prayers in the darkness. At a late hour the back door was taken off its hinges, and the women, like unto Daniel in the lions' den, escaped unharmed. By whom God sent His delivering angel it is not known to this day.

Day and night were these meetings held in different saloons and elsewhere. Liquor dealers blanched white as they saw

the women, numbering hundreds, entering their strongholds of sin. The effect on proprietor and customers was overwhelming. Where bacchanalian revel and riots had heretofore been held, now ascended a volume of prayers.

No liquor dealer did a flourishing business while the crusade continued. In some instances the women took with them pencil and book, recording the names of men they found in these dark places of sin. In a short time not many men assembled in such places, except a large number who gathered to hear the services of the women, who were working in defense of homes.

Many touching instances occurred which time does not permit my mentioning. For two months the crusading was kept up in our city. The saloon keepers asked for protection from the women of the city council. The city council then passed an ordinance in behalf of the men to protect men—not the women. The ordinance read that not more than one woman at a time should enter any saloon, nor more than two congregate on the street. The active form of the crusade shortly ceased.

The first work the women did after disbanding was to organize a reading-room for the benefit of young men, making a home for many who were strangers here in a strange city. From that small beginning has grown our present city library, of which all are justly proud. It was our crusade women largely who laid the foundations and paved the way for the charitable institutions in our midst.

Largely is it due also to these women, their influence and efforts that we are to-day called a city of churches and schools, with religious and educational privileges unexcelled. For the fact that we are also a city of saloons, we are willing that the manhood of the city should have the credit.

That strange and wonderful movement, "the crusade," has passed into history, but it lives to-day in a more wonderful power, in the organization of "The Woman's Christian Temperance Union." The phase of singing and praying on the

street has been done away; but all over the land thousands of women are daily praying to God, asking His blessing on this movement.

Many criticised and jeered at the work at first, and said, "Those women will accomplish nothing!" But God did not intend that woman, in a few weeks or months, should annihilate a traffic as old as the world itself and wipe out an evil that men had been battling for a century without. It was only the beginning of the end.

The traffic touched by woman's finger and God's voice is doomed. Its death knell was sounded when the crusade bells rang forth in 1873. The work of the "White Ribbon Army" is organized to-day in every English-speaking nation. Its banners float in every land, even in portions of darkest Africa. Had the crusade movement accomplished nothing more than the agitation it has brought about, it would have done a noble work. It has brought an arrest of thought on this question that has come to stay.

> "The world is awake and its ear is set,
> Its lips are apart, and its eyelids wet."

No intelligent person now believes that the liquor traffic will be much longer legalized by Christian nations. The watchword of the hour is, "Outlaw the saloon—protect the home."

The age of sobriety is marching on. It will be brought about by education, agitation, and legislation—the three combined. The sun will rise and set some day on a world redeemed from the liquor curse. It is God's own purpose, sure of fulfilment.

ALONG THE OVERLAND TRAIL IN NEBRASKA IN 1852.

Prepared by Gilbert L. Cole, Beatrice, Neb., for the Annual Meeting of the Nebraska State Historical Society, January 10, 1900.

On the 16th of March, 1852, I started with several others from Monroe, Mich., on the overland trail to California. Nothing of interest occurred during our travel through the States, except the general very bad roads, causing us to make poor progress. Crossing the Mississippi at Warsaw, Ill., we we kept along the northern tier of counties in Missouri, which was heavily timbered and sparsely settled. Bearing southwest we arrived at St. Joseph, Mo., on the first day of May. The town was a collection of one-story, cheap, wooden buildings, located along the river and up Rattlesnake Hollow. The inhabitants appeared to be chiefly French and half-breed Indians. The principal business was in selling outfits to the immigrants, trading in horses, mules, and cattle. The level part below the town was the camp of the immigration. There was one steam ferryboat, which had several days crossing ahead of us registered. So the next day we started and drove up to Savannah. After laying in some more supplies we drove to the Missouri river at what was called Savannah Landing. There we crossed over on a hand ferry, and for the first time we pressed the soil of the then unsettled plains of the Great West. Working our way through the heavily timbered bottom, we camped under the bluffs, wet and weary.

Here we rested over Sunday, when we completed our company organization. The weather cleared up, and Monday

morning at sunrise we started on a trail that led up the hollow and on to the "great plains" of Kansas and Nebraska. The day was warm and the sun shone bright and clear. To me, as well as the others, it was the most beautiful sight I had ever seen. Not a tree or any obstacle could be seen before us; only this great rolling sea of the brightest green. This, then, was the land that we were told, in later years, was the "Great American Desert." We have often heard it expressed from the rostrum and pulpit, inviting us to look about and see what was a half century ago a "barren, sandy desert," and they said it was so represented by the early immigrants to California. True, one spoke of the deserts in Nebraska, but they are now in Nevada, for we stepped out of Nebraska into California, on the summit of the Sierra Nevada mountains. Having lived here twenty-one years, I know the grass was then as good as it has been any year since. The first Indians we saw were at Wolf creek, where they had made a bridge of logs and brush, and charged us fifty cents a wagon to pass over it. We paid it and drove on, coming now to the vicinity of the Big Blue river at a point about where Barneston, Gage county, is now located.

Our company, as organized, consisted of twenty-four men and one woman, the wife of W. W. Wadsworth, our captain. We had eight wagons and forty-seven head of horses and mules. Four men were detailed each night to stand guard—two till one o'clock, when they were relieved by two others, who came in at daylight. As a couple of horsemen were riding in advance we came suddenly to the Big Blue river, where, on the opposite bank, stood a party of thirty or forty Indians. We fell back, and when the train came up a detail was made of eight men to drive the teams, and the other sixteen were to wade the river, rifle in hand, to see what the Indians were going to do. Being one of the skirmish line, I remember how clear and blue the water was, and as to depth, it came into our vest pockets. We walked up to the Indians and said "How?" and had some presents of copper cents

and tobacco to offer them. We soon saw that they were merely looking to see us ford the stream. They were Pawnees, were gaily dressed, and armed with bows and arrows. We passed several pipes among them, and the train was signaled and all came through the ford without any trouble, the water coming up four to six inches in the wagon beds. After the train was out in the open prairie again, we bade the Indians good-bye, and were all glad we got off so easily. At noon we moved off the trail, turned out the animals, and all hands proceeded to dismount the wagons and spread their contents out on the grass to dry, as everything next to the bottom of the wagon beds was soaked with water. I forgot to say that in making preparations to ford the river, as a precaution of safety, the captain had placed his wife down in the bottom of their wagon bed and piled sacks of flour around her as protection in case of a fight, and of course in passing the ford she was necessarily drawn through the water in a very alarming and uncomfortable manner. But she was one of the bravest of women, and in this instance, as in many others of danger and fatigue before we reached our journey's end, she always displayed such courage and good temper as to win the admiration of all the company.

We now moved on, I think, in the direction of Diller and Endicott, where we joined the main line of immigration coming through from St. Joe, and crossing the Big Blue where Marysville, Kan., is located. We were soon coming up the Little Blue, passing up on the east side and about one mile this side of Fairbury. Our trail lay along the uplands through the day, where we could see the long line of covered wagons, sometimes two or three abreast, drawing itself in its windings like a great white snake across this great sea of rolling green. This line could be seen many miles to the front and rear, so far that the major portion of it seemed to the observer to be motionless.

We now came to a stream called the Big Sandy (I believe it is in the vicinity of Fillmore county) about 9:00 A.M.,

when we were alarmed by the unearthly whoops and yells of a hundred or more Indians (Pawnees), all mounted and riding up and down across the trail on the open upland opposite us at about a good rifle-shot distance. Our company were the only people there, and a courier was immediately sent back for reinforcements. We hastily put our camp in position of defense (as we had been drilled) by placing our wagons in a circle with our stock and ourselves on the inside. The Indians constantly kept up their yells and rode up and down, brandishing their arms at us, and we thought that every minute they would make a break for us. We soon had recruits mounted and well-armed coming up, when our captain assumed command and all were assigned to their positions. This was kept up until about one o'clock, when we decided that our numbers would warrant us in making a forward movement. As a preliminary, skirmishers were ordered forward down towards the creek through some timber and thick underbrush, I being ordered with them. My partner and myself, on coming to the creek, first discovered an empty whisky barrel, and going a little further in the brush we saw two tents. Coming carefully up to them, we heard groans as of some one in great pain. Peeping through a hole in the tent, we saw two white men who, we learned on entering the tent, were badly wounded by knife and bullet. From them we learned the following facts, which were the cause of all our fear and trouble that morning. They said the night before two large trains had camped there, and as these men were keeping the "post" they of course had whisky to sell. These campers got on a drunk, quarreled, and had a general fight. As a result these men were badly wounded. On the trail, over where the Indians were, some immigrants were camped, and a guard was placed at the roadside. When the shooting and row were going on down at the "post," an Indian, hearing the noise, had come along the trail, when he was halted by the guard, and, not answering, the guard fired and killed him on the spot. These people immediately

hitched up and moved on. The Indians who confronted us coming there found the dead Indian lying in the road, which roused their anger and kept us on the ragged edge for several hours. The Indians all rode off as we began to approach them, and as the trail was now clear, our train moved out ahead of the rest, traveling all night and keeping out all the mounted men as front and rear guards.

We now came to the "last leaving of the Little Blue" and passed over the open unland, without wood or water, thirty-three miles to Fort Kearney, in the Platte valley. 'Twas nearly night and in a drizzling rain when we came to the line of the reservation, where a trooper sitting on his horse informed us that we would have to keep off or go on through the reservation, a distance of three or four miles. It was dark and raining, and we camped right there without any supper or fire to cook anything. We hitched up early in the morning and drove into the fort, where we were very kindly treated by the commanding officer, whose name, I think, was McArthur. He tendered us a large room and tables, with pen, ink, paper, and envelopes, where we wrote the first letters back from Nebraska, which I believe were all received at home with much joy. The greater part of the troops were absent on a scout. After buying a few things that we had forgotten to bring with us, and getting rested, we moved on our journey again, going up on the south side of the Platte river. One of our comrades, Robert Nelson, belonging to the captain's wagon, was now very sick with something like cholera, and on May 27, about sixty miles above Fort Kearney, he died. We sewed his remains up in his blanket and buried him within a few rods of the river at sunrise the next day. Nearly all the company knew him well, and his death and burial were to all of us very sad indeed.

We now came to the "south fork of the Platte river," immediately where it flows into the main river. We had long dreaded this crossing, owing to the treacherous quicksands of its bottom. Here the guard succeeded in killing our first

buffalo. About nine o'clock in the morning, all things being in readiness, two men were sent in to wade across the river with long willows to stick in the sand to mark out the route through. Two or three wagons could be seen where they had settled down in the quicksand, because of stopping in the stream, and were never able to get out. With these evidences before us of the risks we were to run, we started in. Every man but the drivers walked, or rather waded, alongside the horses to render assistance if it should be required. Following the route marked by the willows, with scarcely a word spoken, we drove clear through and out on dry land without a halt or break. To say that we all felt happy to know that the crossing was behind us did not half express our feelings. One man dug out a demijohn of brandy from his traps, and treated all hands, remarking that the "success of that undertaking really merited something extraordinary."

A few days after this an incident occurred in camp that bordered on the tragic, but finally ended in good feeling. My guardmate, named Charley Stewart, and myself were the two youngest in the company, and being guards together we were great friends. He was a native of Cincinnati, well educated, and had a fund of recitations and stories that he used to get off when we were on guard together. This night we were camped on the side of some little hills near some ravines. The moon was shining, but there were dark clouds passing over, so at times it would be quite dark. It was near midnight, and we would be relieved in an hour. We had been the "grand rounds" among the stock and came to the nearest wagon, which was facing the animals, which were picketed out on the slope. Stewart was armed with a "Colt's navy," and I had a double-barrelled shotgun loaded with buckshot. I was sitting on the doubletree on the right side of the tongue, which was propped up with the neckyoke. Stewart sat on the tongue about an arm's length in front of me, I holding my gun between my knees with the butt on the ground. Stewart was getting off one of his stories and was

about to come to the climax when I saw something running low to the ground in among the stock. Thinking it was an Indian on all fours to stampede the animals, I instantly leveled my gun, and as I was following it to an opening in the herd, my gun came in contact with Stewart's face at the moment of its discharge. Stewart fell backward over the wagon tongue, his legs and feet hanging over. My first thought was that I had killed him. He recovered in a moment and commenced cursing and calling me vile names, accusing me of attempting to murder him, etc. During these moments, in his frenzy, he was trying to get his revolver out from under him, swearing he would kill me in a minute. Taking in the situation, I dropped my gun, jumped over the wagon tongue, as he was now getting on his feet, and seized him in what proved to be a desperate fight for that revolver. We were both sometimes struggling on the ground; then again on our knees, he striking me repeatedly in the face and elsewhere, still accusing me of trying to murder him, and I, having no chance to explain things, the struggle went on. Finally I threw him down and held him until he was too much exhausted to continue the fight any longer, and having got the revolver from him, I helped him to his feet. In trying to pacify him I led him out to where the object ran that I had fired at, where near by lay the dead body of a large wolf, with several buchshot through his hide. Stewart was speechless. Looking at the wolf and then at me, he quickly realized his mistake and repeatedly begged my pardon. We agreed never to mention the affair to any of the company. Taking the wolf by the ears, we dragged it back to the wagon, where I picked up my gun and gave Stewart his revolver. I have often thought what would have been the consequence of that shot had I not killed the wolf?

Along in this vicinity the bluff comes down to the edge of the river, and consequently we had to take to the hills, which were mostly deep sand, making heavy hauling. This trail brought us into Ash Hollow, a few miles up from its mouth.

Coming down to where it opened out on the Platte bottom, about noon, we turned out for lunch. Here was a party of Sioux Indians, camped in tents of buffalo skins. They were friendly, as all that tribe was that summer. This is the place where General Kearney, several years after, had a terrific fight with the same tribe, who were then on the warpath all along this section.

Some weeks before the forewheel of my wagon had been badly damaged, and I had been on the lookout for another wheel for the spokes in order to make the necessary repairs. Taking my rifle after lunch, I started out and crossed the bottom, when, within a few rods of the river and about a half a mile off the road, which turned close along the bluff, I came upon an old broken down wagon almost hidden in the grass. Taking the measure of the spokes, I found, to my great joy, they were just the right size and length. Looking around I saw the train moving on at a good pace almost three-quarters of a mile away. I was delayed some time in trying to get the wheel off the axeltree. Succeeding at last, I fired my gun toward the train, but no one looked around, all evidently supposing that I was on ahead. It was an awfully hot afternoon, and I was getting warmed up myself. I reloaded my rifle, looked at the receding train, and I made up my mind to have that wheel if it took the balance of the day to get it into camp. I started by rolling it by hand, then by dragging it behind me; then I ran my rifle through the hub and got it up on my shoulder, when I moved on at a good pace. The sun shining hot soon began to melt the tar in the hub, which began running down my back, both on the inside and outside of my clothes, as well as down along my rifle. I got out to the road very tired, and stopped to rest, hoping that a wagon would come along to help me out, but not one came in sight that afternoon. In short, I rolled, dragged, and carried that wheel; my neck, shoulders, and back daubed over with tar, until the train turned out to camp, when I, being missed, was discovered way back in the road. When relief came to me I

was nearly tired out with my exertions and want of water to drink. Some of the men set to work taking the broken wheel apart and fitting the spokes, getting the wheel ready to set the tire. Others had collected a couple of gunnysacks full of the only fuel of the Platte valley, viz., "buffalo chips," and they soon had the job completed. The boys nearly wore themselves out, laughing and jeering at me, saying they were sorry they had no feathers to go with the tar, etc., calling me a variety of choice pet names.

We had now passed those peculiar formations known as Scott's Bluff, Courthouse Rock, and Chimney Rock. The latter, a few miles to the left of the road, had the outline of an inverted funnel, the base being quite steep to climb. From its center arose a column resembling a chimney, about 50 feet square to perhaps 100 or more high. Its top sloped off like the roof of a shanty, having a crack or split down from the top about one-quarter of its length. These formations were not really rock, but of a hard marl substance, the different colored strata showing alike in them all, and could be easily cut with a knife. They had the appearance of having been left in the washing away of the adjoining land in the course of time.

As we are now approaching the west line of the State, it is now proper that this sketch should be brought to a close. But before doing so I wish to again impress the fact of the beauty of this great "rolling sea of green." No place on earth had Nature ever presented a more beautiful landscape, so pleasing to the eye, so clear its streams and skies, as this land yet untouched by the white man's civilization. This scene was only equaled by a panoramic view from a high point or bluff of the great Platte valley. Seeing for miles up and down the broad valley, the beautiful river with its low banks dotted with its numerous islands of all sizes, each covered with its green willows, made a pleasing contrast with the light grayish color of its waters. Added to this was the long line of covered wagons of the emigrants, together with many groups of

campers. From our view on the bluff to our rear could be seen herds of buffalo that were grazing on the level plain, with now and then a bunch of antelope galloping about. The wolf, coyote, and prairie dog were to be seen at almost any time.

Having thus seen Nebraska as Nature presented it to our charmed vision, when I now look over our State, seeing its improvements, its high class of civilization, I can scarcely believe that such a change has been made.

THOMAS WESTON TIPTON.

Read by Gov. R. W. Furnas before the annual meeting of the Nebraska State Historical Society, January 8, 1901.

Thomas Weston Tipton was born August 5, 1817, near Cadiz, Harrison county, Ohio. His parents emigrated from Huntington county, Pennsylvania, to Ohio at an early day. His father's family were originally from Maryland. His mother's maiden name was Weston. His father, William Tipton, was a Methodist Episcopal preacher for fifty years, and a member of the Pittsburg Conference.

The youth of the Senator was spent at home on his father's farm, for eighteen years, with such meager educational advantages as resulted from a few weeks' attendance upon school during the winters. His father being almost constantly from home, his early training was received from an honest, devoted, Christian mother.

For over two years subsequent to 1836 he was a student at Allegheny College, Meadville, Pa., and graduated at Madison College, Pennsylvania, in the fall of 1840, delivering the valedictory address with great credit and evidences of future success. During the last years of his college course he became an enthusiastic advocate of the temperance reformation and never abated his efforts or broke his pledge. His first vote was cast while a student at Madison College, for Hon. Andrew Stewart, of Pennsylvania, a candidate for Congress. Returning to Ohio in the fall of 1840, he occupied his time in teaching and reading law until he was admitted to the bar in 1844. In 1845 he was elected to the house of representatives in the Ohio legislature from the county of Guernsey, as a

Whig. In 1849 he went to Washington City, and spent three years in the general land office, at the head of a division.

Returning to Ohio he opened an office in McConnelsville, where in 1855 he made an effort to give up politics and legal pursuits and devote himself to the ministry.

Of an enthusiastic temperament and advocating no principle in politics that he did not believe to be an outgrowth of Christian civilization, or springing directly from the imperative necessity of the times, he gave of his time and energies and means, unreservedly and recklessly, to the great political campaigns of 1844, '48, and '52.

Entering the Cincinnati Conference of the Methodist Episcopal Church during the year of the Fremont campaign for the presidency, while Kansas called aloud for help, he found at once how utterly impossible it would be for him to put off totally his political armor, and was found proclaiming from the pulpit, "While I occupy this desk you will have a free preacher, and all my words shall be free speech, and when you can not endure this you must install a slave in my stead, and substitute for the Bible the books of Mormon or Koran of Mohammed," and declaring further that he would not agree to silence on moral political questions, even if demanded by a "father in his shroud." He further found that so many years given in the freest, boldest utterances and unrestrained action would prevent him from adopting in practice the episcopacy of the church, which he exchanged for the democracy of Congregationalism.

He came to Nebraska on invitation, in 1858, to take charge of an educational organization at Brownville, thinking only of quiet, civilized life. For a portion of his first time in Nebraska he filled the pulpit in Brownville of a Union Church organization. Afterward he went east, solicited financial aid, and erected a Methodist Church in Brownville, and filled its pulpit for some years.

The effort of the Buchanan pro-slavery democracy to prevent the organization of the Republican party called him

upon the stump in behalf of the right of the people to exclude slavery from the territory. He was elected to a constitutional convention on the basis of radical republicanism, and in 1860 to a seat in the territorial senate for two years. He became an acknowledged leader of a young and advancing party. He entered the service as a chaplain of the First Nebraska Regiment; went through the war, often in charge of refugees and freedmen, retaining the confidence of all the officers with whom he came in contact, and the entire and devoted affection of the men of his regiment. Being mustered out in July, 1865, and on the same day being commissioned by Andrew Johnson, assessor of internal revenue for Nebraska, he had an opportunity to signalize his devotion to his party by refusing to adopt "my policy." During the same year Mr. Tipton canvassed the territory in behalf of state organization, and when the constitution was adopted was elected a United States senator. Entering the Fortieth Congress his support was cordially given to the reconstruction policy of his party, but in all outside questions he indulged in the freest latitude. On the 20th of January, 1869, he received a reelection for a full term of six years, and acted upon the same committees as those upon which he served in the Fortieth Congress, viz., public lands, pensions, and agriculture. In the presidential campaign of 1868 he traversed every populous county in his state, delivering forty-nine speeches.

He spoke but seldom in the Senate, but such was his sense of propriety that he was never found upon the floor in debate except when the necessity seemed to be absolute, and then only in legitimate discussion, always direct and to the point. As a speaker, it is difficult to give him a definite place among the orators of the age. He was not eloquent, and yet he claimed the attention of his hearers by the importance of the subject under discussion.

Mr. Tipton was faithful to the best interests of Nebraska, and the Congressional Globe will fully sustain this declara-

tion. He deserved the goodwill of the citizens of this state as a faithful servant, true to us by being true to his own manhood.

Phrenologists would place Mr. Tipton among the independent radical men of the day. His head was very high from the base of the brain, broad and nearly round. His eyes were well set, high cheek bones, with a well-molded mouth and compressed lips, indicating firmness. He had a square, prominent forehead, and a preponderance of intellectuality. The moral group was largely developed, giving tone to his general character. In all matters of state, as well as individual interests, he thought for himself and acted promptly after the counsel of his own better judgment, independent of all personal considerations. Right, truth, justice, and manhood were the chief attributes of his character. When he once formed an opinion he was as firm as the Rock of Gibraltar. His enemies, of whom his peculiar organism secured him a full share, did not understand him; if they had they would ever have a good word instead of enmity unworthily borne. He was, in appearance, reserved, with a tinge of moroseness resting upon his brow; but touch his heart, and a well-spring of social greeting flowed forth as from a Protean fountain. He was a great lover of the sublime in nature, was moved with sympathy for poverty and distress; was generous with his means, so much so that with an income of millions he would die a poor man. Intellectually and morally he did not show for more than a farthing of his true value. He kept his own counsel, and worked by the model of an upright life. If the people of Nebraska knew him better they would have loved him more, for he was as true to their best interests as the magnet to the pole. For this loyalty the coming generations will call him blessed.

ALGERNON SIDNEY PADDOCK.

Read by W. E. Annin before the annual meeting of the Nebraska State Historical Society, January 8, 1901.

I have been asked on this occasion, pending the subsequent presentation of a paper upon the life and public services of the subject of this sketch, to briefly give to the Nebraska Historical Society a few personal reminiscences of the late Algernon Sidney Paddock, secretary and often acting governor of the Territory of Nebraska from 1861 to 1867, and twice a senator from this state in the upper house of Congress. In the few minutes allotted me to-night I desire that what I shall have to say shall be neither in the nature of a eulogy or an elegy. I should have preferred to have been able to present a carefully prepared, if condensed, recital of the prominent events in a long and honored and an honorable career, together with a synopsis of his protracted and faithful work for the state of his adoption. Circumstances which I can not control have compelled me, in lieu of that pleasant duty, deferred for the time, to give a hasty and a somewhat undigested character sketch of the man whom I loved and the public official whom I respected and with whom I was thrown in contact for years on terms of close intimacy and personal and political association.

I was an inmate of his home for a portion of the time, with him in prosperity and adversity, when the skies were glowing with hope and glowering with gloom. I had at times access to all his political and to all his private papers. I do not think any one was given a better opportunity to know the man and the public official than myself. Feeling this, I have less hesitancy than others might have in speaking freely of him to-

night, in the state where his entire manhood was passed, and among not a few, although too few, of that rapidly disappearing group who with him helped to lay the foundations of this commonwealth and assisted in erecting the superstructure.

Senator Paddock came of old Puritan, Massachusetts stock. His forbears, early in the seventeenth century, located in the vicinity of Cape Cod. From that point, the descendants of Zachariah Paddock spread westward with the tide of New England immigration to the Connecticut valley, settled at Woodstock, Conn., and followed up the river northwards to Woodstock, Vt., where crumbling tombstones still faintly outline, to the curiosity of infrequently passing visitors, the virtues of an honest, an industrious, and a God-fearing race of men and women. There his grandfather and grandmother lived, died, and were buried, and from thence his father and four uncles migrated across the boundary into New York state early in the last century. His father, Ira A. Paddock, settled at Glens Falls, New York, where he was for many years and until his death a prominent, useful, and most respected citizen. Two of his uncles, William and Joseph, were members of the New York legislature at a time when legislative prominence was an index of home regard and local confidence.

Senator Paddock was born at Glens Falls on November 9, 1830, received a high school education in his native town, and was prepared to enter the junior class in Union College, when family reverses made it necessary for him to earn his own living. He taught school, studied law, and in the early spring of 1857 went to Nebraska, where his cousin, Major J. W. Paddock, had preceded him. He took a prominent part in the general development of the Territory, was a candidate for the legislature in 1858, a delegate to the first territorial republican convention in 1859, a delegate to the national republican convention in 1860, which nominated Abraham Lincoln, and was subsequently secretary of the Territory from 1861 to 1867, at which latter date the Territory became a state.

William H. Seward had been his friend and his father's friend when he was a youth, and Mr. Seward was his political sponsor when the administration of Abraham Lincoln succeeded in 1861 that of ex-President Buchanan. Mr. Paddock was made secretary of the Territory, with Alvin Saunders as governor. He became United States Senator in 1875, served until March, 1881, when he was succeeded by Senator Charles H. Van Wyck, was a member of the Utah Commission from 1882 to 1886, was again elected a United States Senator in January, 1887, and served until March, 1893, when he was succeeded by Senator W. V. Allen. He died four years later, in October, 1897, at his home in Beatrice, Neb., leaving a widow, a son, Frank A. Paddock, and two daughters, Mrs. O. J. Collman and Miss Frances A. Paddock.

Mr. Paddock was continuously identified with the interests of Nebraska from May, 1857, until his death, more than forty years later. Preempting a farm at Ft. Calhoun, he made it his country home until 1872, when he removed to Beatrice, Gage county, where he died. He spent a large portion of his time when secretary of the Territory in Omaha, where he was prominently identified with the progress of the city. He was one of the original stockholders in the Omaha street railway, one of the original investors in the Grand Central Hotel building, and one of the projectors of the Omaha and South Western Railroad. He had an abiding faith in Nebraska real estate and in Nebraska's future, and never hesitated to stake his bank account and his credit on his judgment of the State's resources. He served Nebraska in public office eighteen years. He served it in private and public life for a little short of half a century.

So much, in rapid transition, for the salient points in the political life of one of the best and one of the most distinguished of the citizens of this state. My duty to-night is not to recount in detail or to analyze his political career. That is left for another opportunity. I am asked, briefly, or in the words of Librarian Barrett, "within twenty minutes' time,"

to give some personal reminiscences of the man who was a prominent factor in Nebraska's upbuilding, territorially, and after statehood had come.

I first met Senator Paddock in 1880 during his first term in the Senate. I was at once attracted to him by the genuineness of his personality, by an unaffected simplicity of manner, by his intense faith in the State, and by his exuberant confidence in its future progress. My surroundings at the time were such that any intimacy, if it had been sought on either side, would have been impossible, and it was some years later before I was able to cultivate more than the pleasant acquaintance of a reporter with a prominent public man. During his distinguished service on the Utah Commission, how valuable and how distinguished his surviving colleagues alone know, I came into closer intimacy with Mr. Paddock, largely due to family connections, as the result of my marriage to his niece. After his second election to the Senate in 1887, when I had left newspaper work for several months, Mr. Paddock tendered me the position of private secretary, which I accepted in August of that year, spending three months with him in his home in Beatrice before leaving for Washington.

For four years while engaged in the work of a Washington correspondent I was private secretary for Mr. Paddock and clerk of the two committees of which during that time he was chairman. I opened his mail and acted in the most confidential of capacities which a public man can afford to an associate or to a subordinate. I left him voluntarily two years before the expiration of his term as United States Senator, but our affectionate intercourse was continued until his death. No one better than myself was afforded opportunity to know of his aims, his ambitions, his hopes, his disappointments, his labors, and his weariness. No one better to learn of his generosity, his secret benevolence, his love for friends, his indefatigable industry, his pureness of mind, his absolute correctness of habits, his passionate devotion to his fam-

ily, his unswerving faith in his state. To me, first of all, he broke the news of the fatal disease which had attacked him and the knowledge of which with Spartan courage he kept from his family until its progress and its pain rendered concealment no longer possible, and the agonizing heart throbs seared furrows in his kindly face and sapped the vitality of a splendid constitution. What is the courage of a leader of a forlorn hope with the excitement of battle spurring one on to action compared to that of the man or woman in the grasp of disease the outcome of which is not doubtful, and who carries the burden cheerfully, even smilingly, that others may not anticipate a grief which will come to them only too soon. Death came to him as he wished, with scarcely a pang, with immediate transfer from consciousness to sleep, with tender words of affection on his lips, with nothing between poor mortality and glorious immortality but a parting hand grasp, a loving glance.

Mr. Paddock was raised in an old-fashioned school, where duty was spelt with a capital initial. The old Calvinistic faith which he was taught in home life as a boy controlled, perhaps sometimes unconsciously, but always controlled consciously, the motives of the citizen and public servant. I never knew him to suggest a dishonest action. I have heard him say often, "That wouldn't be right or square," when suggestions for action of which he did not approve came to him in his correspondence. With no pretense as an ultra religious man, he not infrequently talked with me about the fundamentals of right doing, based upon revelation, with gentle reverence for the teachings of his boyhood and with the broadest charity for others to whom arguments which appealed to him would have no weight. He never posed as what might be called "a religious politician." He had a thorough disgust for that character of politics which dragged into the canvass for the advantage of candidates the church, the prayer-meeting, and contributions, duly published, for foreign and domestic missions. But his conscience was well

trained, always acute, and was a determining force in shaping his character. He had a keen sense of legislative and representative duty which, however it conflicted, as it sometimes did, with personal interests, generally controlled. I never knew him to do a mean or a dishonest thing in the years of my association with him.

He was kindly, generous, and most lovable, "slow to anger and plenteous in mercy." Every inclination was to help rather than to hinder. His temperament approached that of a woman in its sweetness and in its tenderness. Friendships to him were precious until they were found to be pinchbeck. And even then there were self apologies for the mistakes which he had made in his estimation of values. In his position as a senator he was not infrequently able to lift men from comparative obscurity to prominence and to perquisites of official position. Sometimes they were found grateful, less often responsive. But there were no heart-burnings in consequence on the part of Senator Paddock, no intimation of political revenge, no threats of a coming retribution.

Senator Paddock was essentially an honest man. After twelve years of public service in Washington, no smell of the fire hung around his garments. He told me once that every dollar he had made had come from Nebraska soil and the advance in real estate. I verified the statement afterward from an examination of his private books. With many opportunities to benefit himself by speculation in connection with various public positions, he died a comparatively poor man, largely because of a superabundant faith in Nebraska town lots, interest in which he refused to relinquish at a time when liquidation would have placed him in comfortable circumstances. When he went to Washington in 1887, at the beginning of his second term as a senator, he should have been a rich man; when he left it six years later he had lost, through the depreciation of real estate in Nebraska retained in absolute confidence of his estimate of its value, nearly a quarter of a million dollars.

His loyalty to, and his faith in the State were prominent characteristics. There he had spent his early manhood, received all his political honors, mingled with its pioneers, made lasting friendships, invested his first earnings, married, and brought up a family. It had been his only fixed home since childhood, and it was his home always and acknowledged so to be until death.

He was an optimist, and his optimism centered around Nebraska and its interests. He exploited them at home and he heralded them abroad. Nothing aroused him to resentment more quickly than attacks upon his state or called for prompter and more vigorous reply, either on the floor of the Senate or in private conversation. He was proud of its past, he was satisfied with its present, and ever confident of its future. His very optimism was his chief weakness. It was his nature to always look upon the bright side of things politically as well as socially. He was naturally aggressive. He never courted antagonism. He invariably preferred friendships to enmities, and never knew the delight of being a good and persistent hater. And yet he was an excellent fighter in a political conflict, not with bludgeon and halbert, but with simitar and finesse. Disliking a field of carnage, he was not averse, if pressed by circumstances, to entering the fray and giving an excellent account of himself as a participant in the tourney. But the battle over, victorious or defeated, he cherished no enmities toward vanquished or victors. His kindliness of disposition and cheeriness of temperament prevented personal exultation or personal depression.

Senator Paddock was in the best sense of the term a domestic man. The glare and glitter of official life in Washington had no attractions for him. He was most miserable when attending some function where he was a distinguished guest, and never so happy as when able to give an honest excuse for an honest absence. Midnight life had no charms for him. He was most contented when in his modest library

working over reports or delving into files of dreary documents bearing upon cases before his various committees. He was not a diner-out, a *bon vivant,* or an after-dinner speaker. He did not pose as an epigrammatic subject of perpetual interviews in the daily press, attracting notoriety by grotesqueness of manner or speech or calling attention to himself by idiosyncrasies of behavior in official or social circles. Senator Paddock was simply a well born and a well bred gentleman with a modesty of deportment which bespoke his birth and training and a courtesy and polish of demeanor which he wore easily because natural to himself.

Mr. Paddock was not an orator. He made no pretenses to forensic ability. He shunned rather than courted the stump. From a sense of duty he bore his share of campaigning, but never enjoyed the platform, and neither sought nor expected glory from the hustings. But he thought clearly and he wrote well upon subjects which interested him. He was facile with his pen and felicitous in his use of language. He rarely spoke extemporaneously in the Senate, but his carefully prepared speeches on topics economic and political were above the average of his colleagues. At least, he never wearied the Senate. When he spoke it was because he had something to say, because he felt that he was called upon to say it in his representative capacity, and because he honestly felt that it would be better said than left unsaid.

His unwearying industry was the predominant characteristic of Mr. Paddock as a public man. No senator ever worked more untiringly for a constituency. There was no detail of correspondence too small, no appeal for investigation and help too insignificant, no cause for a Nebraskan too petty to attract his immediate attention and his personal and unswerving interest. What other senators left for clerks and messengers to investigate and report upon, Senator Paddock attended to in person. He made himself an always willing messenger for the humblest as well as the most influential of his constituents with an energy that was as tireless as it was

persistent. As a western senator (whose people were concerned with the pressing questions of the disposal of the public lands, of irrigation, of Indian affairs, of pensions, of the problems of agriculture and of cattle raising, with the thousand and one suggestions which came from a new and a western state believed to have an application to national legislation, or to be in touch with national legislation) Senator Paddock was sympathetic, considerate, and unselfish. He never lacked in confidence in his own ability to do the best that could be done, but he never permitted ability to wait for convenient opportunity. He worked as regularly and as carefully, day by day, in the departments as he did with his correspondence at his desk in his committee room, and was as careful to conscientiously attend to both as he was to occupy during the session his seat on the floor of the Senate.

As a citizen of Nebraska and at home, Mr. Paddock was always hopeful, public spirited, and energetic. He was closely identified with the interests of Omaha and Beatrice during his successive residences in these cities, and attained a well earned prominence due to his readiness to stake his means upon the progress and development of the communities of which he was a member. He believed in Nebraska and he thought that Nebraska ought to believe in him. He felt that the State had reason to trust him as he always trusted the commonwealth which had honored him and which he had faithfully served. Others might decry it,—not he. In times of sternest stress his faith never faltered. Even then he had a kindly word for political adversaries and a half apology in the presence of a third party for what he believed to be their really injurious and unjustifiable attitude on public questions affecting the State.

Mr. Paddock was keenly sensitive to criticism and suffered greatly and patiently at times from the abuse of a school of journalism which it is to be hoped is dying out in the State, and in which dislike was considered sufficient justification for atrocious attack, and envy ample warrant for ministering

malevolence. Both his successful senatorial campaigns were won after bitter contests over able rivals and with a divided press, as was not unnatural. Political conditions were never such that *his* election was handed to him on a silver platter while the dogs of partisan war were held in the leash. He fought for what he attained and he earned what he got. Amid abuse, misrepresentation, threats, he quietly plotted his way towards the goal. He won two victories in senatorial campaigns; he suffered two defeats. He was no more elated by the former than he was depressed by the latter. Hurt not infrequently by the defection of alleged friends, his generous soul could not harbor resentments. If he did not pray for those who despitefully used him, he often declined to permit them to be despitefully used and preyed upon by others. And he received little credit for an attitude which some claimed savored of compromise or weakness, but which those who knew him best knew was the outcome of a kindly and a forgiving nature more considerate of the feelings of rivals often than they were of his own.

The public services of Senator Paddock to territory and state can not be considered in this hasty sketch of his career and character. When analyzed they will be found to be at least the equal in amount and in value of those of any of his predecessors or, up to date, of any of his successors. His efforts were always along practical lines. Where possible, he sought the lines of least resistance, but he did not shrink from opposition. He assisted in placing upon the statute books a large number of the laws which have proved of greatest permanent benefit to the West. The development of the agricultural department from a government bureau to a cabinet office was due in large degree to his efforts. The cattle inspection laws were of his initiative. The agitation for laws against food adulteration will always be indissolubly connected with his name. He was an important and a most influential factor in securing the opening of the Indian reservations of the northwest to settlement; he reported the timber

culture bill to the Senate, and, ten years before the beet sugar industry became established in this country, advocated an appropriation for experimental stations to test its feasibility. In obtaining useful special legislation for his state he had no peer.

Mr. Paddock in the ordinary sense was a partisan. On two notable occasions, once during the reconstruction period and the second time during the formulation of the tariff bill in the Fifty-first Congress, he resented what he thought to be unwise party leadership. He believed that the reconstruction policy which President Johnson was tactlessly trying to force through, was—however blundering the method of its emphasis—the policy which Abraham Lincoln had outlined and would have adopted. He had the courage of his convictions in this respect and put them to the test. History will approve his judgment. In the Fifty-first Congress he struggled hard to secure additional concessions on the line of reductions in tariff imports which peculiarly affected the West, and was one of fourteen western senators to pledge himself to defeat the conference report and throw the bill back into another conference through which the required concessions could be secured, if their demands should not be complied with. Under party pressure, all but three yielded and voted for the conference report as it came before the Senate. Two of the three would, without question, have fallen into line on the vote had not the name of A. S. Paddock come first on the roll. He voted as he had pledged himself to vote, not against a republican tariff bill but against a bill as formulated, which he felt was not entirely just to his state and section, and which he desired further improved before it was brought to a final vote. The defeat of the conference report would have compelled, of course, a further conference and an ultimate yielding on the part of the House conferees to at least a portion of the Senate demands. It was for this that Senator Paddock courageously fought even when deserted by the mass of his western associates in the Senate who mutually

pledged themselves to maintain to the end the position from which he himself refused to be diverted. It was the act of a brave and an honest man, an act which Mr. Paddock never regretted or wished to recall.

As a rule, however, Senator Paddock was a strong party man and a strong partisan. He believed that public men could best subserve the public interests through party organizations, and that the expression of party opinion through regularly constituted party channels was binding upon those who professed to follow its banner. He loved the party with which he affiliated. He was proud of its traditions and of his connection with it from its birth, of his acquaintance with its founders, of his association with its great minds distinguished in its highest councils. His loyalty was to party ideals as he perceived them, and he always regretted differences between himself and friends upon questions of party policy and party conduct, whether state or national. But he had the courage of his political convictions and yielded due deference to those of others who differed from himself. He recognized the necessity of rivalries and ambitions and the struggle to enforce divergent views upon the electorate. He knew the bitter as well as the sweets of prominence, the selfishness of place hunting, the ingratitude of satisfied endeavor, the disappointment of the laurel gained, the shallowness of political professions, the secession of friends, the success of opponents.

All these—yes—for he played no insignificant part in the political drama of territory and state and nation during the closing half of the last century when history was made and unmade, and the great empire of the West sprang into being largely as the result of political rivalries.

But there can be no rivalry with the dead. Perhaps they have at length solved all the problems with which we are struggling and look down upon us with compassionate interest because the final opportunity for complete knowledge is as yet denied us. To us all it will come in time. How small

will then appear the petty ambitions and contests and jealousies and frictions which made up so large a portion of our lives *here,* but which seem doubtless to them such an insignificant and infinitesimal portion of the preliminaries to the higher life there. What will it count in the aeons of years to come, these struggles for passing prominence, for newspaper notriety, for the retention of fickle friendships, for appreciation of agonizing endeavor?

"To be rich to be famous?" wrote Thackeray in that exquisite scene of the reunion of Esmond and Lady Castlewood.

"What do these profit a year hence when other names sound louder than yours, when you lie hidden away under the ground along with idle titles engraven on your coffin? But only true love lives after you—follows your memory with secret blessing or precedes and intercedes for you. *Non omnis moriar,* if dying, I yet live in a tender heart or two; nor am I lost and hopeless, living, if a sainted departed soul still loves and prays for me."

THE FARMERS' ALLIANCE IN NEBRASKA.

SOMETHING OF ITS ORIGIN, GROWTH, AND INFLUENCE.

Read by J. M. Thompson, Secretary Nebraska Farmers' Alliance 1889-93, before the Nebraska State Historical Society, January 8, 1901.

The Farmers' Alliance in the United States was first organized during the year 1879. Milton George, of Chicago, organized the first Alliance in Illinois, near the city of Chicago in that year, and through the instrumentality of his paper, the *Western Rural,* the principles of the society spread throughout the Northwest, and many Alliances were organized after his plan. About the same time a similar organization appeared in Texas, which afterwards became the basis for the Southern Alliance.

The first aim of the society throughout the Northwest was to unite the farmers for the purpose of discussing and advocating certain principles of industrial and political reform. With this was combined in many instances attempts at cooperation in business.

Its growth was quite rapid, and societies were soon organized in the states of Iowa, Minnesota, Kansas, and Nebraska. In Illinois, the Patrons of Husbandry covered a similar field, and fewer local organizations of the Alliance were made in that state.

The first alliance organized in Nebraska was formed near Filley, in Gage county, in the year 1880, and about the same time a subordinate Alliance was formed at Alda, in Hall county.

The first state Alliance of Nebraska was organized at Lincoln, in the year 1881. Hon. E. P. Ingersoll, of Johnson

county, was the first president of the society, and Hon. J. Burrows, of Gage county, its first secretary.

As at first organized the society had no regular constitution, but merely a declaration of principles, which were to be the object of its effort. It consisted first of subordinate Alliances, which were neighborhood societies, and which held frequent meetings for the discussion and study of subjects and principles of interest to the farmers. These local Alliances were each entitled to a delegate to the annual state meeting, which was held once a year.

In the year 1887 the State Alliance of Nebraska met at Lincoln and organized as a secret society, adopted a constitution and by-laws, ritual and secret work, and formulated the following declaration of principles:

DECLARATION OF PURPOSES.

Profoundly impressed that we, the Farmers' Alliance, united by the strong and faithful ties of financial and home interests, should set forth our declaration of intentions, we therefore resolve:

To strive to secure the establishment of right and justice to ourselves and our posterity.

To labor for the education of the agricultural classes in the science of economical government in a strictly non-partisan spirit.

To secure purity of the elective franchise, and to induce all voters to intelligently exercise it for the enactment and execution of laws which will express the most advanced public sentiment upon all questions involving the interests of laborers and farmers.

To indorse the motto, "In things essential, unity; in all things, charity."

To develop a better state, mentally, morally, socially, and financially.

To constantly strive to secure harmony and good will among all mankind, and brotherly love among ourselves.

To suppress personal, local, sectional, and national prejudices, all unhealthful rivalry, and all selfish ambition.

To assuage the sufferings of brother and sister, bury the

dead, care for the widows, and educate the orphans; to exercise charity to all offenders; to construe words and purposes in their most favorable light, granting honesty of purpose and good intentions to others, and to protect the principles of the Alliance unto death.

During the year 1888 considerable activity was shown among all industrial organizations throughout the country, yet at the annual meeting of the Nebraska Farmers' Alliance held in January, 1889, only fourteen counties were represented by about one hundred delegates.

At this meeting plans for more thorough work were made, and the state officers were authorized to take the field if necessary, and personally organize in counties where no Alliance already existed.

In accordance with these plans, Hon. J. H. Powers, the newly elected state president, ably assisted by Mr. Burrows, then chairman of the state executive committee, and J. M. Thompson, state secretary-treasurer, began to push the work of organization throughout the State.

During this year over five hundred local Alliances were chartered. State headquarters were established at Lincoln in May, 1889.

The first issue of the *Farmers' Alliance,* a paper devoted to the society's interests and advocating its cause, appeared June 12, 1889, which was in September put under the control of the chairman of the executive committee and state secretary, and issued from the head office.

The annual meeting at Grand Island, in January of 1890, was the largest and most enthusiastic meeting of an industrial organization Nebraska had ever seen, and its influence was felt throughout the State.

In the year 1890, over twelve hundred local Alliances were formed, and by July 1 of that year at least fifteen hundred local alliances were in existence, reaching into every important county in the State, with a membership of over fifty thousand.

These Alliances held frequent meetings at school houses and in the homes of the members. Regular courses of study were adopted by many of them, taking up the questions that were agitating the minds of the people and discussing them in an earnest manner, looking to their careful solution. In order to "secure purity of the elective franchise" the Australian Ballot Law was studied with a view to recommending its adoption by the State; reforms in existing laws, especially those relating to insurance, public schools, and other subjects of interest to the members of the State generally were considered, and each organization became to some extent a school where the members were forming new ideas of their duties as citizens and new conceptions of their privileges as sovereign voters.

The great drouth throughout western Nebraska in the summer of 1890 was particularly severe on the farmers, and before any measures for relief were taken by the State, the Farmers' Alliance was soliciting aid through the society in other states, supplemented by all the available cash in its treasury at home. Three thousand dollars out of the treasury was divided among the western counties, while the Alliance in eastern counties contributed nearly as much more in cash, besides large quantities of grain and provisions through the fund started by the state paper and officers of the State Alliance.

When the State legislature in the winter of 1891 made an appropriation to enable the farmers to sow their fields and exist until a crop could be secured, the Alliance Relief Committee was in many counties recognized as the best means of distributing this aid.

Much has been said during the past ten years concerning the Alliance in Nebraska politics, yet a descriptive paper on the society would not be complete without something on this subject.

At the annual meeting held at Grand Island, in January, 1890, the subject of political action occupied a good deal of

time in the three days' session. Various and conflicting views were presented and discussed, but as the members affiliated with the different political parties in the State, independent political action was not deemed advisable. A spirit of political unrest, however, was felt throughout the State, and in May a meeting of the state officers and representatives from each county was called at Lincoln to further consider this matter. About one hundred earnest men attended this meeting, and every phase of the existing political situation was taken up and thoroughly discussed.

The officers of the State Alliance believed that more effective work could be done by continuing the educational features of the organization, which would in a great measure be stopped by the formation of a new political party. The demand for independent political action, especially from the western counties, was not to be overcome, and it was finally agreed that petitions calling for a Peoples' Independent Convention should be circulated throughout the State, and, should the response warrant it, the call for a convention would be issued.

The State Grange and Knights of Labor were also invited to cooperate in the movement, and many of their members gave it their hearty support.

The following call was prepared and sent to local Alliances throughout the State:

DECLARATION OF PRINCIPLES

AND POPULAR CALL FOR A PEOPLES' INDEPENDENT STATE CONVENTION.

We, the undersigned, citizens of the State of Nebraska, hereby declare our adhesion to the following fundamental principles, and demand that they be enacted into law, viz.:

Our financial system should be reformed by the restoration of silver to its old time place in our currency and its free and unlimited coinage on an equality with gold, and by the increase of our money circulation until it reaches the sum of

$50 per capita; and all paper issues necessary to secure that amount should be made by the government alone, and be full legal tender for all debts, public and private.

The land monopoly should be abolished either by limitation of ownership or graduated taxation of excessive holdings, so that all the competent should have an opportunity to labor, secure homes, and become good citizens; and alien ownership should be prohibited.

That the railroad system as at present managed is a system of spoliation and robbery, and that its enormous bonded debt at fictitious valuation is absorbing the substance of the people in the interest of millionaires; that the general government should own and operate the railroads and telegraph, and furnish transportation at cost, the same as mail facilities are now furnished; and that our legislature should enact a freight law which shall fix rates no higher than those now in force in Iowa.

We demand that our state and national system of taxation shall be so adjusted that our laboring interests will be fostered and wealth bear its just burdens, instead of our farmers, laborers, merchants, and mechanics being compelled to pay, as at present, by far the largest portion of public expense.

We further declare that the political machinery in this state has been controlled by the corporate power for the plunder of the people and the enrichment of itself, and we have entirely lost confidence in the efficiency of that machinery for the enactment of just and the repeal of unjust laws.

We therefore hereby give our voice for the call of the Peoples' Independent State Convention, to nominate pure and honorable men for the different state offices on the principles named above; and we hereby pledge ourselves, if pure and honorable men are so selected, to vote and work for their election.

And we hereby invite all men, without regard to past or present political affiliations, to join us in this, our effort for pure government, for the relief from the shackles of party politics and the domination of corporate power in our public affairs.

And we hereby request the secretary of the State Farmers' Alliance, and the secretary of the State Assembly of the Knights of Labor to select two men who shall fix a just ratio

of representation and a proper date, issue a call, obtain a hall, and make all needed arrangements for holding said convention."

In less than thirty days over fifteen thousand voters had signed the petition, and on June 28 the call for a Peoples' Independent State Convention was issued to meet on July 29, at Lincoln, for the nomination of a state ticket. In this convention seventy-nine counties were represented by 873 delegates, and a full state ticket was nominated upon a platform pledging certain reforms in state government, and in conformity with the text of the petition already quoted.

The results of this campaign are familiar to every citizen in the State and form an important epoch in its history. The Farmers' Alliance, in the election of the majority of the state legislators, assisted in shaping the course of legislation in the sessions of 1891 and 1893.

Some of its organizers and officers became trusted servants of the people of the state as legislators, and later as state officers, and with few exceptions proved worthy of the trust reposed in them.

The growth of the Farmers' Alliance in 1891 was checked somewhat by the political situation of that year, but its influence was felt in many ways.

Mutual insurance societies had been organized in a number of counties under amended laws, nearly all of which continue to do a successful business. Other cooperative enterprises were formed, many of which have been made the nucleus for establishing profitable creameries, elevators, etc. Many of its younger members under the stimulus of its educational work felt the need of a higher education, and numbers of them turned toward the State University and other colleges.

Since 1893 the organization has been active only in a few localities, and although holding its annual meeting each year very few of its members expect it to recover its former greatness.

Mistakes were doubtless made by its officers and members alike, yet its influence has been for good upon the State and Nation. And we can not but recognize in the Farmers' Alliance another evidence of the continuous struggle for advancement, mentally, morally, socially, and financially being made by the "man with the hoe."

REMINISCENCES.

Read by ex-Mayor H. W. Hardy before the Annual Meeting of State Historical Society, January 8, 1901.

The territory from which Nebraska was carved was first brought to our mind by the study of Olney's geography, early in the thirties. We remember the Great American Desert, which extended from the Lakes to the Rocky mountains and from the North Pole to the Gulf. We remember the scenes pictured there. One represented Indians driving buffaloes over a high bank into a corral made of poles. We remember another picture, that of a prairie fire, where Indians, buffalo, and wolves were running for their lives before the flames.

The next we remember of seeing several bales of buffalo skins lying upon the sidewalk in the city of Buffalo, just brought from the Missouri river near Council Bluffs. This was early in the forties.

The next we remember was a letter from an older brother, written after his arrival in California in 1849. He went the overland route, and described the country west of Rock Island. He found no signs of white men except on the Des Moines river, two priests and two ferrymen at Council Bluffs, a company of soldiers at Kearney, and Mormons at Salt Lake. West of the Missouri he found buffalo paths running to the Platte river, and Mormon paths running west.

We were much surprised at his statement that the desert was not a desert, and that there was good territory for three more states between the Mississippi and the Rocky mountains. Another statement surprised us: that Fremont's pass was a broad, level prairie, with mountains on either side just

in sight. We had supposed it was a narrow defile just wide enough to let a mule or a man through.

The next was Greeley's description of his stage ride to the coast in 1858. His mention of the tall grass, the gently sloping hills, the countless herds of fat buffaloes. It was not stretching the imagination to conclude if the buffalo could live without the help of man the ox could with a little of his help.

The flag of Nebraska first represented a grazing country. We were told there would be no use for plows ten miles west of the Missouri.

In 1854 the hot history of Nebraska and Kansas commenced. The Missouri Compromise law, which prohibited slavery north of Mason and Dixon's line, which was the south line of the state of Missouri, extending westward, was repealed. Nebraska and Kansas were lined up as territories and opened to slavery. At once slaveholders commenced settlement, hundreds in Kansas and a few in Nebraska. But the free states outstripped the slave states, two to one, in sending settlers to the new territories. The New England Emigrant Aid Society furnished their emigrants with Bibles, Sharp's rifles and transportation money. Between 1854 and 18[illegible] the two territories witnessed scenes of strife and bloodshed.

[illegible] 1854 the Territory of Nebraska was organized [illegible] Dakota, Montana, Idaho, Wyoming, and [illegible] was first taken off in [illegible] Nebraska is not [illegible] present limits.

[illegible] 1854 [illegible] people [illegible] admitted as a [illegible] given was [illegible] great. In [illegible] the people [illegible] free. In [illegible] and the [illegible] 1861 of the [illegible] State, but

President Johnson vetoed it. In January, 1867, Congress passed another bill, then repassed it over the President's second veto. In 1871 a state constitutional convention was called and a new constitution framed, which was rejected by the people. The chief objection raised was against the taxing of meeting-houses. It was argued that grave-yards and school-houses should be taxed just as much as meeting-houses, so that the community that got along without these luxuries should be relieved of that much tax.

In 1875 another convention was called, and the present constitution was adopted by a vote of 30,202 against 5,474. Several amendments to the present constitution have been submitted to a vote of the people, but the method of voting and counting of the votes prescribed by the constitution are such that all of them failed to get the necessary vote. The one increasing the pay of the legislature was, however, counted in. The three most noted amendments that have been submitted were those extending the right of suffrage to women, the prohibition of the liquor traffic, and the increase in the number of supreme judges.

We first landed in Lincoln in October, 1870, and one of the first things that attracted our attention was a political meeting held in the new state house, then nearly completed. Governor David Butler was the speaker. He was a candidate for reelection. He openly acknowledged that he had loaned state money to himself, that he had also loaned to Mr. Tichenor without warrant of law, but said that he did it because he thought to have a governor's house and a decent hotel completed would increase the value of lots, at the coming October sale, more than the amount of money loaned, even though the money was never paid back. He was elected by an increased majority; but the legislature that was elected at the same time impeached him the following spring for the same things he openly confessed before election. The legislature a few years ago impeached the impeachers by expunging the impeachment record and reinstating Mr. But-

ler to full citizenship. The money he loaned has all been paid back with interest.

At the time of our first landing in Lincoln we found but one small school house; it was built of brown stone, and stood on the east side of Eleventh street, between Q and R. It was afterwards used as a city jail. The city jail before that consisted of a dugout standing near the center of the block west of the post-office.

The University was not opened till the fall of 1871. We must confess that the first line of professors did not at the start favorably impress us. But it was the University that attracted us here, and we have always stood up for it. It is now one of our greatest and most hearty joys to visit the University shops and farm. The ball games have no charm for us. Practical education is what our boys and girls need more than style and show.

Cars had commenced to run from Plattsmouth to Lincoln, and the only depot was an old freight car.

The buffaloes had all been driven west of the Blue river, but deep worn paths leading to the creek were found every half mile. Wolves, deer, and antelope were often seen.

The penitentiary then consisted of a small brown stone building, with a board fence around it. A few years later a rebellion of the prisoners caused quite an excitement, but a company of soldiers from Fort Omaha quelled the rebellion without bloodshed or loss of prisoners.

The burning of the insane asylum, which was about to tumble down, was another scene of public interest. There is no doubt that the insurance money was the cause of the burning. The fire occurred early in the spring of 1871.

During the summer of 1877 the foundation walls of the first University building, built of rotten brown stone, began to crumble, and the building was condemned as unsafe. Your humble servant put his hand into the city treasury without law and transferred to the University foundation fund $4,000, and the building was made safe. The money has

never been returned to the city by the State. Impeachment medicine was not administered.

Next to our University and public schools stand our public libraries. One of the things in which we have been most deeply interested is the establishment of the Lincoln city library. Twenty-four years ago next spring, we, as mayor, signed our first warrant, giving $300 as a starter. Since then the success and future prospects of the institution are well known. The burning of our entire library a little more than a year ago has been healed by a gift of Andrew Carnegie of $75,000 for the erection of a fireproof building. It is a great satisfaction to visit our library to-day and count the men, women, boys, and girls quietly reading books, magazines, newspapers, and we expect to be able to count double the number when our new building is completed. Any village or city without a library and reading-room is behind the light-house.

HISTORY OF THE FIRST STATE CAPITOL.

Prepared for the Society by Thomas Malloy, 1899.

In the month of November, 1867, I was hired in Chicago by contractor Joseph Ward, who had the contract of building the first state capitol. There were also twelve other stone-cutters who came west to Lincoln, Neb., along with me. We were to receive $4.50 per day as soon as we began work. He paid our way as far as Omaha, and then transferred us back to Council Bluffs, from which place we arrived in Nebraska City. Here we rested for a day and night. There were two teams hired to bring our tool-chests and trunks from the depot on the Iowa side across by ferry to Nebraska City. We had guns and revolvers to protect ourselves from the Indians. Before we left Nebraska City we were advised to get blankets and moccasins, as it looked as if there was a storm coming. Sure enough the storm did come, after we left Nebraska City for Lincoln. We had to walk and run all the way behind the wagons to keep ourselves from freezing the first day. I believe the moccasins we bought saved our lives on the road. The first day we came as far as a place where there was one shanty on each side of a creek. One was occupied by a man by the name of Wallen and the other by a man by the name of Luff, old pioneers on the Nemaha near Unadilla. The owners of the houses were scared at us until we told them where we were going to; that we were going to Lincoln to build the state capitol. Then they divided us between the two houses. One house kept seven men and the other five. Lucky enough they had some bread, coffee, and bacon. They did the very best they possibly could for us. But such sleeping apartments! A loft in the peak of each shanty, with loose boards for a floor, on which we slept. And such a night! We lay on the floor with our lucky blankets rolled around us and kept ourselves as warm as we could.

Next morning we got a breakfast of the same kind of food, paid our bill, and thanked the pioneer gentlemen for their kind treatment. Then we started for Lincoln and arrived at the Pioneer Hotel at 9:00 P.M. that night. This hotel was owned by Mr. Scroggins, and was north of where the State Journal building is at present, on Ninth street. The number at the hotel that night after we signed our names on the register was sixty-five. The hotel was well filled with lodgers, consisting of laborers, mechanics, doctors, and a few lawyers. The next morning we went to see where our job was to be. A few men went with us and showed us the place. To our great surprise there was nothing for us to see but the trenches dug for the foundation. There was no material in the way of stone for us to go to work at. So we were badly discouraged. What could we do, out in the wilderness of Nebraska, and our families in Chicago? At this time the contractor was on his way from Chicago to Lincoln, three days behind us. We patiently waited for him to come, and when he did come we met him determined to do something desperate. In fact we were going to hang him. When he saw the material was not on hand for us to go to work at, he there and then told us not to be uneasy; that he would see that we would get our wages, work or play, according to agreement, as the State was good for it. So that pacified us. We were idle two weeks before the rock came in. He paid us full time. We then built a sod boarding house on the capitol grounds and boarded all the men working on the building. A man and team were hired to haul all the things required for the table from Nebraska City. That was good board at $5, so we were all well satisfied up to the 1st of April, 1868. At that time a man by the name of Felix Carr came from Omaha with a letter from Governor Butler to the contractor, Mr. Ward. This man made a deal with Mr. Ward, who rented the boarding house to Mr. Carr. Then Mr. Carr went back to Omaha and brought out his wife and family to run the boarding house. He also brought out two big barrels of

whisky. Then we saw what was up. We held a meeting and resolved to boycott the whisky, as the boys were all saving their money at this time. A few days after he invited some of the men to have a drink, but they refused, and he was greatly surprised to see such a large number of men in a big building like a state capitol all sober. But one wet day came, and some of the masons broke the boycott about a month after the whisky came. This continued for a week. I watched an opportunity at night when they were all asleep, and crept to where the barrel was and turned the faucet in the barrel. I then crept back to bed again. The whisky kept running all night on the floor and down the cracks, until the barrel was empty. In the morning the smell of whisky was all over the boarding house. The man Carr became tearing mad. He carried a brace of revolvers at the breakfast table and threatened the man or men who committed the crime of emptying the barrel of its contents. But he did not shoot. A few days after all the stone-cutters left the boarding-house and went to Mr. Lane's new boarding house on O street. He was foreman carpenter.

Mr. Felix Carr left in a few weeks and never paid Mr. Ward, the contractor, a cent of rent, and took his blankets, dishes, even the stove, spoons, and knives, and never was seen in Lincoln since.

In the spring of 1868 the prairie was covered with camp wagons, consisting of bull teams, mule teams, and horse teams, all seeking out section stones and taking up homesteads and preemptions in Lancaster county. The land office was in Nebraska City at this time. All available teams were employed hauling lumber from Nebraska City and stone from Beatrice for the state capitol. Frame houses were springing up in all directions. Carpenters, masons, and plasterers were in demand. Auction sales were conducted by Thomas Hyde, auctioneer, selling city lots at that time to pay the expenses of building the capitol. The kind of money in circulation at that time was called greenbacks, and it was easy carried in a man's pocket, not being so heavy as gold.

In the fall of the same year, 1868, politics were getting lively. There were two liberty poles planted on top of a hill called market square at that time, north of where the post-office is now built, between O and P streets. One was a Democrat pole and the other was a Republican pole, both with the stars and stripes flying from the top. The Republican pole was taller than the other, being spliced. But some wicked villain came around one night, threw a rope across the top of it, and kept pulling at it until it fell across the top of the hill and cracked in two pieces. In the morning when the men were going to work, they only saw one pole with the stars and stripes flying, and that was the Democrat pole. When the report went around the town the people gathered in swarms to see the broken liberty pole. There was nothing but weeping and wailing and gnashing of teeth among the old veterans of the late war. Finally there was a colored barber of the name of Johnston who lived west of the hill on Ninth street where Humphrey's hardware store is now. He reported that he heard the crack of the pole when it fell, and that he saw a man running toward the livery barn of Dunbar and Jones, on west O street. Suspicion fell on young Jones because he was a southern Democrat, and he was taken and a guard placed over him. The Moore brothers and other veterans of the recent war went to George Ballentine's lumber yard and got lumber and built a scaffold on top of the hill where the pole lay. The scaffold was built to hang Jones on, and his trial was to be held that evening before Judge Cadman. The Democrats got very uneasy, and sent word out toward Salt creek and other places around Lincoln to be in at the hanging. There did a lot of them come in and waited until the trial commenced. Judge Cadman called the case, and the witness appeared. He said he heard a loud [illegible] something cracking, and he looked out and saw a [illegible] ning toward the barn after the crack.

"Did you know the man?"

Answer—"No, sir."

"Any more witnesses?"

There were none.

"I discharge the prisoner for want of further prosecution."

So there was no hanging on that scaffold in 1868.

In 1868 Mr. Robert Silvers got the contract of building the State University. The first thing he did was to start a brick yard. He bought all the wood he could find in the country and had to haul it with teams, as there was no railroad in the country at that time. He hauled the foundation stone from Yankee Hill, which was sand rock. This was of little account. As there was no other stone around Lincoln at that time to build any kind of foundation with, even the first bank at the corner of Tenth and O was built out of it. At that time Mr. Silvers did not know how he could find stone for the steps at the three principal entrances, south, east, and west, to the University. He asked me if there was any show to get them at any price. He told me to search the country to see if I could find any, as he hated to put wooden steps in a State University. I started out on a pony, and the first day I could find no stone that would suit. The second I went east and found stone located south of Bennet in a ravine. I was overjoyed to find a lot of fine sound stone that had been exposed to the sun for years. I knew that on that account they were sound. I then returned and told Mr. Silvers that I had found the stones that would make the steps. He asked me would they split with the frost. I said to him that if even one of them split with the frost never to pay me one cent for my material or labor. "Well," he said, "name your price." "Oh," I said, "about $1.50 a superficial foot." He then said to me, "The job is yours." The contract was then made out.

I got all the stones that had been long exposed to the frost and sun, dressed them, and they are there to-day, after all the wear and tear they have received since they were laid in 1868. The steps and landings at the three entrances cost $1,000, and Mr. Silvers made me a present of $50 and thanks.

EARLY HISTORY OF JEFFERSON COUNTY OVERLAND ROUTE.

Prepared by W. W. Watson for the State Historical Society, January 8, 1900.

The earliest record of overland travel through Jefferson county is that made by Fremont in 1842, and it is evident from his written report that he followed almost exactly the route afterward traveled by the Ben Holladay stage line and the overland freighters. He writes of finding camping places where the early emigrants to Oregon had stopped, and appears to have followed along the line they had traveled. His camp at Rock creek was evidently where the stage station was afterward located, and from his description of the locality he must have crossed Big Sandy creek at or near where D. C. Jenkins built his ranch in 1858.

The wagon road afterward traveled by the Californians of '49, and the freighting outfits later from Ft. Leavenworth, entered the county near the southeast corner, a few miles north of the Hollenberg ranch, in Kansas, and about four miles northeast of the present location of Steele City. It intersected the Holladay stage route which followed up the Big Blue valley from Marysville to Oketo, and then turned west along the divide south of Indian creek and very near the present line of the B. & M. R. R., intersecting the overland trail at Cadwell's ranch.

A few miles west was the Rock creek stage station, and on the west bank of the creek was located the McCandless ranch, and afterward, in 1865, D. C. Jenkins built at this point his second ranch and a toll bridge, for which he secured a charter from the territorial legislature of 1864–65. The tradition is that Mr. Jenkins had less trouble in securing the

charter for his bridge across Rock "river" than he had in preventing the freighters from shoveling a roadway down the bank and going around the bridge, thus avoiding the payment of toll. The stage station was at one time in charge of George Hulburt, afterward of Kearney, Neb., and in 1862 was kept by H. Wells. William Hiscock, better known as "Wild Bill," was in charge of the stock at that date, when McCandless, who had built a ranch on the west bank of the creek, undertook to take possession of the station he had formerly owned and claimed he had not been paid for by the stage company. In the melee which followed his attempt "Wild Bill" shot and killed McCandless and two of his men. From this point the road traversed Rock Creek precinct in a northwesterly direction, and at one time the stage company kept a station in charge of Ray Grayson at the west line of the precinct, about three miles northeast of where Fairbury is now located. This station was called "Whisky Run" station, but the name was afterward bestowed on a small ranch near the head of "Whisky Run" creek. The name is said to have been derived from the seizure by a party of soldiers and the pouring out upon the prairie of several barrels of whisky, found in the possession of some freighters, which they were vending along their route. Virginia Station or Lone Tree was located on section 26, in Richland precinct, on the land now owned by Robinson Bros. It was first kept by S. Grayson, an employee of the stage company, and afterward by W. P. Hess. A short distance west a man named Minto Jones had a small trading post in 1860, but the Indians were such unpleasant neighbors that he abandoned the post.

In May, 1859, Joel Helvey came from Nebraska City and located at the crossing on Little Sandy creek, section 19, town 3, range 2 east, where he built a ranch and toll bridge across the creek. Mr. Helvey died in 1864, but his sons, Thomas, Jasper, Frank, and George, who came with him, still reside in that neighborhood.

From the Helvey ranch the trail traversed the divide north of the village of Powell, and descended into the valley near Big Sandy crossing. Big Sandy ranch was built in 1858 by D. C. Jenkins, who, in 1865, disposed of the same to David Wolff and John S. Crump. H. M. Ross bought Mr. Crump's interest in 1866. The Slaughter ranch was located at a ford about half a mile north of the Big Sandy ranch, and the rivalry between the ranch keepers to secure the travel at their respective crossings was such that at times armed guards were needed to prevent the digging of ditches across the road so that travel might be diverted from one road to the other. A short distance west George Weisel, now of Alexandria, Neb., kept a ranch, and about a mile above Big Sandy crossing Ed Farrell kept the stage station for the Holliday line.

The overland trail crossed the west line of the county a short distance north of where the town of Meridian was located in 1869. A number of freighters, whose homes were in Gage and Jefferson counties, outfitted at Nebraska City or Brownville, and the route they traveled via Tecumseh and Beatrice passed through the north part of Jefferson county and intersected with the main road at Big Sandy. There were no ranches on this route between Kilpatrick, in Gage county, and Tom Helvey's on the Little Sandy.

Many of the first ranchers and settlers were engaged in freighting from the Missouri river points, Nebraska City, Brownville, and Atchison to Denver, in the early '60s, and until the building of the Union Pacific from Omaha westward inaugurated a new era of development of the section of country that had been marked on the maps fifty years ago as the "Great American Desert," and the crack of the "bull-whacker's" whip was drowned in the noise of the locomotive whistle.

Among the old freighters who drove teams over the overland, and who still reside in the county are A. F. Curtis, C. C. Boyle, and J. C. Kesterson. Mr. Curtis, in 1861, outfitted at

Nebraska City and drove his teams to Denver each year until 1866. He had for company in his first year William and Nathan Blakely, J. H. Lemon, and Charles Bailey, of Gage county. For the next few years he outfitted at Atchison or Brownville or St. Joseph, and "followed the trail" until 1866, his last trip being made with Beckwith, of Liberty Farm ranch, in 1866.

J. C. Kesterson, of Fairbury, was engaged in freighting from Nebraska City in 1865 to Cottonwood Springs and Julesburg, and in 1866 to Ft. Laramie. He was with a train owned by his father, J. B. Kesterson, the first year, and in 1866 was assistant wagonmaster for Kesterson and Catterson, who were engaged in hauling government freight. The Helvey Bros., who settled in Jefferson county in 1859, were engaged in freighting from Nebraska City and other river points for several years, and C. C. Boyle, at present county judge in this county, in 1863 went to Denver with a freight outfit from Omaha.

The freighting experience of the writer was confined to two trips from Plattsmouth to Denver with a train of James Clizbe's in 1863, and in 1865 to a trip from Omaha to Denver with the outfit of H. T. Clarke & Bro. Clizbe settled at Weeping Water, Cass county, where he died about two years ago.

I attach hereto two letters from Babcock and Crump, both old settlers, and have the promise of statements from others who participated in the Indian troubles of 1864–67 and '69, which made an interesting chapter of Jefferson county annals.

COLUMBUS, IND., December 16, 1899.

W. W. Watson, Fairbury, Neb.:

DEAR SIR—Your letter of December 4 at hand and contents carefully noted. In answer to your inquiries will say that in February, 1865, David Wolff and I left Marysville, Kan., to take possession of the Big Sandy ranch, which we purchased of Mr. Jenkins. The Big Sandy ranch was situ-

ated on the bank of Big Sandy about one mile from where it empties into Little Blue. Mr. Slaughter owned a ranch about one-half mile north of ours, and Mr. Weisel a ranch about two miles west of us. There were also Kiowa, Little Blue, and many other ranches still further west. These ranches were all on the Ben Holladay overland stage route from the Missouri river west to the Rockies. Mr. Wolff and I kept the stage station, and the mail was delivered at our ranch to the few settlers in the country, although there was a little settlement over on Rose creek. Many nights have Mr. Wolff and I sat up under the large elk horns with rifle in hand, through fear of hostile Indians, who were killing many ranchmen and emigrants. At that time there was not a railroad in the state of Kansas or Nebraska. I have often seen as many as one thousand wagons camped at our ranch. We built a truss bridge across Big Sandy that did not cost us over one hundred and fifty dollars, and charged a fee of twenty-five cents for each team to cross. Out of this of course we made quite a little sum. Mr. Ross bought my interest in 1866.

From your map it seems to me that the Powell ranch marked is the exact location of our old ranch. I have been greatly mistaken as to the location of the town of Fairbury. Here I mention some of the old settlers: David Wolff, Hugh Ross, Mr. Slaughter, Mr. Weisel, Mr. Alexander, and Mr. Bigtoe. There was also a preacher by the name of Rose. Mr. Rose settled on Rose creek, and it was after him that the creek was named. I married my wife, Emma Webber, at Marysville, Kan., on April 9, 1865. David Wolff, I believe, is in Oklahoma.

I hope to visit your country before long, and when I do you will see a full-blooded Hoosier.

Thanking you for the interest taken in this matter, I remain,

Yours very truly,

JOHN S. CRUMP.

NOTE—Mr. Crump is in error about a "preacher named Rose." He evidently means Rev. Ives Mark, who built a small grist mill on Rose creek, and kept a trading post there. The place was known as Mark's Mill, or Rose Creek City, as Mr. Marks named it. W. W. W.

JANSEN, NEB., December 16, 1899.

W. W. Watson, Fairbury, Neb.:

DEAR SIR—I will try to answer your questions in regard to the stage drivers and freighters to the best of my memory. Beginning at the west, the first ranch in the county was Ferrel's ranch, situated west of the crossing of the Big Sandy. It was kept by Ed Ferrell. The next station to the east was Virginia station, situated at the Lone Tree, on the Ed Robinson place. It was kept at first by S. Grayson. Then came Rock creek, or McCandless' ranch. I don't remember who kept it first; afterward George Hulbert kept it.

Some of the old stage drivers were Ray Grayson, Frank Baker, John Gilbert, Pete Hanna, George Hulbert, and Carl and Charles Emery. Frank Baker lives at De Witt; John Gilbert at Red Cloud; Carl Emery was killed at Beatrice; and I don't know what became of the others. Frank Baker was presented a suit of clothes by the manager, Ben Holladay, for giving him the fastest ride over the route.

Some of the stock tenders were "Wild Bill" or Wm. Hiscock, Keene Craven, and John Gilbert. "Wild Bill" afterward became notorious, first as the slayer of McCandless and afterward as a scout and desperado.

The "Pony Express" riders of my recollection were Jim Beetle, who was killed in a quarrel, and Bob Martin, who afterward was hung for complicity in a stage robbery in the Black Hills.

Among the freighters were Fargo & Co., Majors & Russell, Wells, James Ferrell, and Furbush, Wardle & Co., the Helvey Bros., and many others whom I can not recall at this time.

Trusting that your inquiries are sufficiently answered, I remain, Respectfully,

WILLIAM BABCOCK.

THE INDIAN MASSACRE OF 1866.

IMPORTANT FROM THE PLAINS.

THE INDIAN MASSACRE—LIST OF PERSONS MURDERED ON THE POWDER RIVER—THOMAS DILLON, OF THIS CITY, AMONG THE NUMBER—THE PLATTE RIVER ROUTE THE ONLY ONE WELL GUARDED BY TROOPS.

Intelligence has been received that the Indians in northern Nebraska are again hostile, and attacking the whites at every vulnerable point. The trouble is confined to the new Montana route, or, as it is called, the Sawyer wagon road, leading west from Sioux City. The escort accompanying Sawyer's party was attacked near Crazy Woman's Fork, and five soldiers were killed and a large number wounded. All the wounded that fell into the hands of the savages were scalped and tortured in the most barbarous manner. An emigrant train encamped with the Cheyenne Indians was attacked by a large party of Sioux and all the white men of the party killed and the women and children carried off.

Colonel Sawyer and his wagon road party were harassed by Indians for over a hundred miles, and were obliged to camp every night in the hills away from water. The whole party is now encamped at old Fort Reno, and at Piney Fort, on Powder river, closely besieged by the hostile Sioux. Nearly all the stock on the road has been run off, and great suffering is inevitable.

This route is now utterly impassable, and if those on the way escape with their lives they will be extremely fortunate.

From Fort Laramie we have received the following list of persons killed on the above named route:

On Reno creek, a branch of Tonque river, George Livelsberger, Company F, Second battalion, Eighteenth infantry; Joseph Donaldson, Pierre Gassont, Wm. Donare, Henry Arrison Moss, and one unknown.

On Cedar Fork, Wagonwaster Dillon.

On Crazy Woman's Fork, Lieut. Napoleon H. Daniels and Corporal Callery, Eighteenth infantry.

Dry Fork of Cheyenne, George H. Moore, S. C. Can, Carlinsville, Ill.; Wm. H. Dearborne, Stoughton, Wis.; Hiram K. Campbell, Champion, N. Y.; Charles H. Barton, Council Bluffs, Iowa; Zach Husted, Muscatine, Iowa; John Little, Arkansas; Stephen Carson, Howard county, Mo.; Nelson Floyd, Leavenworth; Wm. Pochwell, Montreal, Canada; John Sloss, residence unknown.

Two bodies found and two graves unknown.

One deserter was killed on Reno Creek—name unknown.

This massacre occurred between the 17th and 20th of July. Mr. Dillon, whose name occurs in the list, was from this city and had charge of a train of twenty-five wagons belonging to Thomas E. Tootle & Co., of this place.

All the military posts on the Platte have been transferred from the Department of Missouri to the Department of the Plains. This order includes Forts Kearney, McPherson, Sedgwick, Laramie, and Gosper. These posts are well garrisoned, and are strongly reinforced, to guard against the possibility of any interruption to travel on the Platte route. This is the only route that the government has promised to protect by military force.

General Sherman gave notice to the public last spring that this route would be thoroughly protected, while upon NO OTHER route would be a sufficient number of troops kept to insure the safety of travelers against the attacks of hostile Indians. Notwithstanding this warning many have been so foolhardy as to attempt to cross by the wild and unknown "Sawyer Route," and more than a few of them have already paid for their rashness with their lives. A regiment

of negro troops are now en route for Fort Kearney, and will be distributed from there to the various posts on the Platte. No danger is apprehended on the Platte route, with the present force, but the government is determined to secure its safety beyond a peradventure.

STATE OF NEBRASKA, }
JEFFERSON COUNTY. } *ss.*

Lee Dillon, of lawful age, being first duly sworn, on oath says that the above and foregoing is a true and correct copy of a certain newspaper clipping now in his possession; that the said clipping was taken from a St. Joseph, Mo., newspaper, the name of which he is not now certain, but to the best of his remembrance it is the St. Joseph *Herald;* that the paper from which said clipping was taken was dated between the dates of July 20 and September 1, A.D. 1866; that the Thomas Dillon referred to in said clipping was the father of this affiant; and that the above and foregoing copy of said clipping is made for the purpose of placing the same among the records and papers belonging to the Nebraska State Historical Society.

LEE A. DILLON.

Subscribed in my presence, and sworn to before me, this 24th day of April, A. D. 1896.

CHARLES Q. DE FRANCE,
[Seal.] *Notary Public.*

BULL-WHACKING DAYS.

The following article was prepared by Mr. George P. Marvin, editor of the Beatrice *Democrat*, and published in that journal for use at the Old Freighters' Meeting of the Nebraska State Historical Society, January 10, 1900.

The editor of the *Democrat* is in receipt of a notice from Jay Amos Barrett, assistant secretary and librarian of the Nebraska State Historical Society, saying that one day of the annual meeting of that society in January will be devoted to the freighting days of the early '60s, and requesting me to write a sketch of my observation and experiences in bull-whacking.

Possibly my experience in this line does not materially differ from that of other men who piloted six yoke of cattle hitched to eighty hundred of freight across the desert. Yet there were many incidents connected with life upon the plains that have never been written.

There was scarcely a day passed but something occurred that would furnish material upon which the writer of romance could build an interesting book of adventures.

In the freighting days of the early '60s, the overland trail up the Platte river was a broad road two hundred or more feet in width. This was reached from various Missouri river points, as a great trunk line of railroad is now supplied by feeders. From Leavenworth, Atchison, and St. Joe, those freighters who went the northern route crossed the Blue river at Marysville, Kan., Oketo, and other points, and traveled up the Little Blue, crossing over the divide and striking the big road at Dogtown, ten miles east of Fort Kearney. From Nebraska City, which was the principal freighting point upon the river from '64 until the construction of the Union Pacific railroad, what was known as the steam wagon

road was the great trail. This feeder struck the Platte at a point about forty miles east of Kearney. It derived its name from an attempt to draw freight wagons over it by the use of steam, after the manner of the traction engine of to-day.

My first trip across the plains was over this route, which crossed the Big Blue a few miles above the present town of Crete. At the Blue crossing we were "organized," a detachment of soldiers being there for that purpose, and no party of less than thirty men was permitted to pass. Under this organization, which was military in its character, we were required to remain together, to obey the orders of our "captain," and to use all possible precaution against the loss of our scalps and the freight and cattle in our care.

The daily routine of the freighter's life was to get up at the first peep of dawn, yoke up, and if possible get "strung out" ahead of other trains, for there was a continuous stretch of white covered wagons as far as the eye could reach.

With the first approach of day, the night herder would come to camp and call the wagon boss. He would get up, pound upon each wagon, and call the men to "turn out," and would then mount his saddle mule and go out and assist in driving in the cattle.

The corral was made by arranging the wagons in circular form, the front wheel of one wagon interlocking with the hind wheel of the one in front of it. Thus two half circles were formed, with a gap at either end. Into this corral the cattle were driven and the night herder watched one gap and the wagon boss the other, while the men yoked up.

The first step in the direction of yoking up was to take your lead yoke upon your shoulder and hunt up your off leader. Having found your steer you put the bow around his neck, and with the yoke fastened to him led him to your wagon, where he was fastened to the wheel by a chain. You then took the other bow and led your near leader with it to his place under the yoke. Your lead chain was then hooked to the yoke and laid over the back of the near leader, and the

other cattle were hunted up and yoked in the same manner until the wheelers were reached. Having the cattle all yoked, you drove them all out, chained together, and hitched them to the wagon.

The first drive in the morning would probably be until ten o'clock, or later, owing to the weather and distance between favorable camping grounds. Cattle were then unyoked and the men got their first meal of the day. The cattle were driven in and yoked for the second drive any time from two to four o'clock, the time of starting being governed by the heat, two drives of about five to seven hours being made each day. The rate of travel was about two miles an hour, or from twenty to twenty-five miles a day, the condition of the roads and the heat governing.

This, then, was the regular daily routine, though the yoking up of cattle was often attended with difficulty. Many freighting trains started from the Missouri river with not more than two yoke of cattle, in the six that comprised each team, that had ever worn a yoke before. Many had to be "roped," and not a few of the wildest, as the Texas and Cherokee varieties, were permitted to wear their yokes continually, for weeks.

While the bull-whacker's life was full of that adventure and romance that possessed its fascination, there were some very rough sides to it, though, taking it all in all, it afforded an experience that few indeed would part with, and in after years there is nothing that I recall with more genuine pleasure than life in the camps upon the plains during the freighting days.

Speaking of "good times," there has never been a time in the history of Nebraska that approached the good old freighting days. In those days there was a demand for men that has not since been known, and at wages unheard of before or since.

In 1865 the wages paid the ordinary bull-whacker was $65 a month for the round trip, or $75 if discharged at the other

end of the road. Mule-skinners got $75 for the round trip, and $85 if discharged at the other end.

It took about a month to drive from the Missouri river to Denver in those days, and as the wagons returned empty, a premium was paid for the man that would accept his discharge at the other end of the road.

But money didn't go far. The outfit of a teamster consisted of blankets and revolvers, and such clothing as he chose to take. The blankets were necessary, and no man would be permitted to leave the river without abundant arms and ammunition. Every man wore a belt to which was attached one or two revolvers of the large Colt type, and a sheath knife. The metallic cartridge had not yet come into general use, so that a powder flask, a cap box, and box of bullets were a necessary equipment, the men moulding their own bullets. Such an outfit cost from $30 to $50, and the outfitting stores at Nebraska City and other points did a land office business.

But the "good times" upon the plains during the freighting days were not confined to the mere matter of money-making. In fact, while the men who endured the hardships incident to this rough life and took chances with the hostile bands of Indians that roamed the plains wanted good pay for their services, they only wanted the money for the pleasure that it would buy. These men spent their money as freely as the air that they breathed, and upon the arrival of a big train at the Old Elephant corral in Denver, it was no unusual thing to see the men buy a large portion of the town for the time being and turn themselves loose.

Dance halls had their fascinations, while gambling houses with the finest orchestras to be had attracted men and women of all shades and conditions, to their gilded enclosures, where men staked their all upon the turn of a card or the fall of a die.

While the trip across the desert was a laborious undertaking, the men made the most of their opportunities to lighten the burden as the days wore on. Many a pleasant hour was

spent about the "buffalo chip" camp fire, watching the dying embers, smoking, singing, and telling yarns, many of which would not be fit for the columns of a religious family newspaper. Then there was the "stag dance," in which the boys were proficient, and occasionally an immigrant train would camp near by, and the women would contribute to the festivities of the occasion.

One of these dances occurred at Pat Mallaly's race on the Platte, in 1865, that for grace and elegance was unique. An immigrant train bound for Washington camped near us, and as there happened to be one of those old-time fiddlers of the "Arkansaw" type in the party, a dance was given in the Pilgrim house at the ranch.

The Pilgrim house was a rude sod affair, with dirt floor, dirt roof, and walls. It was supplied with an old cook stove, where immigrants were permitted to camp and cook in winter.

There were present upon this occasion besides the teamsters in McLelan's outfit, of which the writer was a member, a stage driver named Smith, who was away up in calling, and two women from the station, besides five from the immigrant train. This made it necessary for one man to take a lady's part in order to fill up the sets. The fiddler was perched upon an inverted box upon the top of the old cook stove, and if any of the participants in that festive occasion are still on earth, they will recall the incident with no small degree of pleasure.

In this connection I might say that at least one of the men is still on earth. I refer to Thomas Crummel, ex-mayor of Auburn. He was my "partner" on that trip, slept with me under the same blankets, and a truer or more loyal fellow never cracked a whip or stole a chicken from a ranchman.

Thus it will be seen that in those rude days there were diversions that lightened the burden and made life bearable. These were the bright spots in the desert, the oases that retain their verdure, as we glance back over a life upon the plains during the days of the bull-whacker.

THE PAWNEE WAR OF 1859.

At the annual meeting of the Nebraska State Historical Society, January 10, 1900, General John M. Thayer was introduced by President J. Sterling Morton, and spoke without notes upon the Pawnee campaign of 1859. His address was taken down in shorthand and prepared for publication. The introductory remarks of President Morton and General Thayer's address are given in full in the following pages.

PRESIDENT MORTON—One of the important duties of this organization is to arrest fancy wherever it masquerades as fact; and likewise to arrest and execute fiction where it disguises itself so as to pass for truth. Now last evening a paper was submitted here which contained this passage, speaking of the Pawnee Indians and their raids upon the settlements: "Up the Elkhorn they robbed the settlers to such an extent that in 1859 the Governor of Nebraska called for volunteers and pursued the frightened fugitives up to the point now known, in memory of the closing scenes of the campaign, as Battle Creek, Madison county. It was, however, a bloodless battle. The little army of 300 were confronted by about 2,000 reds. . . The savage braves demanded battle, claiming that though many of them might fall in the encounter, still in the end not a pale face would escape."

There were further remarks which follow in this way:

"The event has been dignified in common parlance and newspaper history as the Pawnee war. . . . General Thayer's upward career may have commenced here, for he gained some distinction in this campaign which paved the way for him in the United States Senate and later in the executive chair of Wyoming and Nebraska."

I discover present here this evening General Thayer, and I take great pleasure in calling him to this rostrum in order

that he may address you, giving you the facts relative to the Pawnee War, rather than fiction written by a gentleman who was then not a resident of Nebraska [great applause].

GENERAL THAYER—Mr. President, Ladies, and Gentlemen [applause]—

Mr. President, Ladies, and Gentlemen—I am in this position to-night as the result of the suggestions, or rather requests, made to me this afternoon, that I come here and present the facts in regard to the Pawnee War. It was my lot on becoming a citizen of this state, then a territory, to be chosen by the legislature to command the militia and volunteers whenever they should be called out; or, in other words, to have the charge of the frontier of Nebraska and defend the settlers against the hostile Indians, and these duties I was performing from '55 to '61, and I consented to appear here and make a statement in regard to the Pawnee War.

I agree most fully with the remarks of the honored President in regard to our duty to eliminate fiction from fact, or rather to remove fiction wherever it has crept into the real history of this state. In the last days of July, '59, couriers came in from along the Elkhorn river over at where the crossing of the Elkhorn was, thirty or forty years ago, on the then military road leading back to the mountains, and also from Fontanelle—I think I am right, do you remember, Mr. Morton? [Mr. Morton: Where the woman was killed; where one woman was killed. General Thayer continues]—informing us that the Pawnees, the whole tribe, was moving along the Elkhorn river and committing depredations, destroying property, going into the cabins of the settlers, and breaking up and destroying their little furnishings. And I remember also this fact, reporting that they had found some feather beds that the settlers had brought with them from their eastern homes, and had caused a reign of terror from the lower Elkhorn up by way of Fontanelle. It was the principal town out northwest from Omaha beyond there, including West Point, and reaching around then to Tekamah. The

couriers came demanding protection of the government. The governor was then at Nebraska City—Governor Samuel Black, who lived there; it was his home. The information and demand was so pressing that the most prompt action was necessary. At that time your honored President, Mr. Morton, was secretary of the Territory, and he was occupying his office in the then state house, which was in Omaha. The organic law provided that in the absence of the governor from the Territory the secretary should then exercise and perform the duties of governor, but only in the governor's absence from the Territory. Well, the question arose for a moment whether the secretary, Mr. Morton, could assume the duties of executive. There was a brief consultation between him and myself in one of the stores on Farnam street in Omaha. We took but a few minutes to consider that question. I desired that he should assume the responsibility of governor, and issue the orders to me to march to the defense of our beleaguered settlers on the border. Well, without hesitation he decided to do so, and issued the order to me to move to the defense of the settlers, knowing that perhaps the question might be raised afterwards as to the authority of his act, and also as to the authority of my act. I executed his order. But he had no hesitation in taking the responsibility, and I had none in executing the order. I raised about forty men in Omaha, and we left that city at midnight, and by four o'clock the next afternoon we entered Fontanelle, where all the people had gathered from afar above the Elkhorn and below it. All the cabins and homes of the settlers were abandoned; all were gathered in there; and I remember well the appearance of the people there when we reached Fontanelle and marched into the town. They were overjoyed at seeing us, at witnessing our arrival, for they knew then that something was to be done for their protection. I remained there two days in gathering up a force for the purpose of pursuing the Pawnees. The men were anxious to unite with us, for they had suffered from the Pawnees before, and they de-

sired to have some satisfaction from them, and I was of the same mind. They had given me a great deal of trouble; three times I had been to the Pawnee village and held a council with the chief, and they would always make all kinds of promises to me, only to break them afterwards. The chief would lay the trouble upon their young men, the braves, saying that they could not control them. I told them that they must control them or that the government would send a force upon them and wipe them out if they didn't control their men. Of course I had to talk large to make an impression. Well, we organized there and raised a force, including those who accompanied me from Omaha, of 194 men. I had taken with us one piece of artillery from Omaha, the only one the Territory had, and thus organized, and laying in a supply of provisions for the expedition, for I could not tell how long we would be out, we took the trail of the Pawnees and followed them. There were in that tribe then about 5,000 Indians, males, females, and children. They had cut quite a wide swath along the west bank of the Elkhorn, they having 500 and odd of ponies. They had turned them into all the wheat fields and corn fields where the crops were then growing profusely and cut down everything. Their destruction was complete, and it was enough to inspire the frontiersmen with a determination to secure some satisfaction. I should have explained this: that it was impossible to communicate with Governor Black at Nebraska City within from two to three days. There were then no telegraph lines, and letters and messengers had to cross the Missouri at Omaha on a flat-boat over to Council Bluffs, and then on down on the Iowa side to Plattsmouth, and cross the Missouri there back again on the flat-boat to the Nebraska side. You can see that thus the communication between Nebraska City and Omaha could not be carried on except at a very slow pace. We could not wait for communications with Governor Black, and hence the governor [Morton] at once took the responsibility to act, though we had reasons for believing that Governor Black

was then in the Territory, and, if thoroughly scrutinized, [our action] in assuming the duties might be called in question. But I say it now in his presence, that I was grateful to him that he did take the action and gave me the orders as the executive of the Territory, for I felt and I knew it was our duty to stop the outrages which were then being carried on, and secure protection from the Pawnees.

Then General Samuel R. Curtis, a distinguished citizen of Keokuk, Iowa, who was a graduate of West Point and for some years served in the regular army and had been engineer for the government, was there at that time, a member of Congress from that district in which Keokuk is located. He was of a military turn of mind, and, hearing of the action we had taken, and that a force had started from Omaha, of his own volition, and prompted by a patriotic and military spirit, he followed us, and overtook us, I think, perhaps two days out from Omaha. I was very glad to receive him, because I knew he had had a military education, was really a military man, and the only experience I had had was in contact with the Indians. The Pawnees and then the Sioux would make me a great deal of trouble, making me sometimes wish that I had never accepted a commission, given me by the first legislature, of brigadier-general, and the second session enlarging my sphere of duty and making me a major general. I appointed General Curtis inspector general on my staff. I desired to give him recognition, for I had a great respect for the man, knew him well. He had visited Omaha frequently when he was on his political campaigns, and he was a very valuable man. I had also invited a Lieutenant Robinson, of the regular army, who was in command of the Eighteenth Dragoons of Cavalry, then being designated "Dragoons," to join me in the expedition, and he did so.

We then organized the expedition more fully, and I desired to give him the compliment of an appointment—Lieutenant Robinson—and the command, at my suggestion, elected him as colonel under me, and he was a valuable ac-

quisition. We moved along, I think, one day after General Curtis joined me, when Governor Black, hearing that we had moved from Omaha, came into that city as rapidly as he could get there, and then followed us, taking our trail, and followed alone until he came up with us, I think the fourth night. Now, Governor Black was as perfect a gentleman, I think, as I ever met, with one exception. When he was himself he was a gentleman. He was an able man; he was a good lawyer; he had been a judge of the southern district of Nebraska before Buchanan appointed him governor of the Territory. He was an orator, a polished gentleman, with this exception, and it was the most unfortunate one—he would sometimes get tight. I suppose you all know what that means [laughter]. Sometimes, well perhaps four or five months, he would get on a regular tear,—beastly drunk, I am sorry to say. I want to inject this remark right here that I have never related this incident which I am about to give you, except to a few friends. I have never given it to the public and declined to write anything about it. I may state right here that when he left Nebraska he went back to Pennsylvania, the state from which he came, and was commissioned as colonel of a Pennsylvania regiment, at the head of which he was shot in the head while leading his regiment into battle at Chancellorsville—one of those battles in West Virginia. He thus died honorably for his country. I have thought perhaps his widow might be living, or some child of his still living, and I didn't desire to state fully this statement.

And this afternoon several gentlemen said to me, "This subject of the Pawnee War and the paper presented last night were discussed there." I regretted very much that circumstances prevented my being here last evening to hear the paper to which your honorable President made allusion, or from which he read an extract,—and they said give the whole history of it. And as there has been some misrepresentation, and especially in this paper, which it was unworthy of them, because it gives impressions which were not true, which had

no foundation. Not being a resident of the Territory, and writing whatever he did write, I suppose, from hearsay, he did great injustice to those who composed that force, and also to Governor Morton and myself. It was,—I might say right here, for fear it may not occur to me again,—a very important expedition, and it was, I deemed,—though I did not at the time—that it was a most hazardous one. We were pursuing a force where the Indians numbered 1,400 warriors, and my force was only 194 men and a single piece of artillery. I can see now that it was a dangerous one, and yet I endeavored to take in the full force of the situation. I was determined to inflict some punishment upon the Pawnees for the demands made upon me by the Governor every time, that I must go to the Pawnees and induce them to compel those who committed the depredations to cease. It had become, as I said, somewhat monotonous, and this was in particular.

We had gotten beyond the pale of civilization, there was nothing before us, nor upon either side of us, east or west. We had gotten into the wilderness of prairie, and we were a kind of free lance. I have said Governor Morton [General Thayer meant Governor Black (ripple)] overtook us, I think the fourth night after we had left Fontanelle. I found at once, as soon as he came into camp, that he had been partaking too freely [laughter and applause] of stimulants, and I began to think that I might have trouble with him. Well, at night, before we retired, I discovered that he was pretty drunk. He was the governor and my commander-in-chief. As you all know, the civil power is supreme over the military; he was ahead of me. I began to inquire with myself what course I should take with him, for, knowing his propensity, and knowing when he was under the influence of liquor he was an exceedingly disagreeable acquaintance. He was,—oh, I can't hardly describe it,—because I knew after he commenced partaking of liquor he would become beastly drunk. That night while he was asleep I got hold of his demijohn under the hind seat of the ambulance and took it out, and

took out the stopple. I held it upside down, and you know what happened, and poured out the whisky. But the next day I found he had a small bottle which I had not seen or discovered, from which he was still drinking. He beat me there. In the middle of the day we went into camp. We had been marching since an early hour of the morning, for the weather was very hot, and I endeavored to make as much distance as possible in the earlier part of the forenoon, when there would be less heat. So we went into camp at noon; to give the men and animals about two or three hours' rest was my plan. He was so unfit to be about that I had two soldiers help him into a small tent, which I had pitched on purpose for him, to keep him from the rest of the command. I tried to save him as much as possible from the sight of the soldiers, but too many of them knew what his propensity was. Well, during that time of rest the men were lying under the baggage wagons to get in the shade as much as possible, and I was under one on the outside of the camp, when Colonel Robinson came to me and said: "General, I'm in trouble." I said, "What is the matter, colonel?" "Why," he said, "Governor Black sent for me to come to his tent and I went there." He being the commander-in-chief and Colonel Robinson a regular officer, knows no duty but to obey the orders of a superior officer. He went to the tent, and, pulling the flaps aside, there Governor Black lay on the ground, and, raising himself up on his elbow, he said, "Colonel Robinson," in that maudlin way, "I order you to take seventy-five men and go over to Columbus"—that was away to the south of us—"and procure twenty barrels of whisky and four sacks of flour." [Laughter.]

Now that is the literal order which Colonel Robinson assured me Governor Black gave him, and some soldiers were near the tent on the outside, and they overheard it. There was no mistake about it; there was the exact orders. The ire and indignation of those soldiers was aroused at once. They began to say,—and there was some cursing and swearing like

this: "I'll be damned if I ever came out on the prairie to execute such an order." There was a spirit of mutiny. As Robinson heard them and spoke to me, I sprang up as soon as possible and mounted my horse and rode in front of the whole command, and, in as loud a voice as I could command—and I think I could then be heard over a good section of prairie when I was in earnest—I called to the men: "ATTENTION! BATTALION! FALL INTO RANKS! PREPARE TO MARCH!" I made it as impressive as possible to have its effect on the men. It was instantaneous. Every man rose to his position and was ready to obey my orders. There was no sign of mutiny after that. I settled that question. I ought to have said in the first place that it is very unpleasant for me to relate incidents where I am obliged to refer to myself, but I could not make this statement without doing so, although it is not to my taste. I have generally avoided relating any reminiscences in which I have taken a part for that reason, and I beg that you will not think that I am doing it now,—and so I say I only do it because I was obliged to do it. The men all took their places in rank, companies were told off ready for the march. I then detailed two soldiers and ordered them to take Governor Black from the tent, put him into the ambulance and take seats with him. If he objected, I said, "*Put him into the ambulance at all hazards.*" Well, sometimes in the life of a man the time comes when he must act upon the instant—promptly. It is an emergency which requires prompt action, and I knew if I had not given the order to the men to fall in and prepare to march, that expedition would have broken up there in disgrace. I could not hold the men there under any law because they were not enlisted men; they were real volunteers, having taken no oath of office and having joined in the expedition without being mustered in, there being no officer authorized to muster in. So I could not have held the men there except by letting them see, at once, that authority was still there, that I was their commander, and took the responsibility of arresting the governor

and keeping him as a prisoner until the drunkenness had passed off. They put him in the ambulance and took seats with him. He behaved reasonably well with them, and when we arrived in camp I had the tent pitched for him only, and the two soldiers in charge of him took him in there. Whether he had formed a realizing sense of his condition then or not I was not certain; but I was not going to take any chances. I held him a prisoner until the second morning after that, giving them orders not to allow him to leave the ambulance under any circumstances, nor anybody else to have any communication with him but myself, but giving them the order that if he desired to see me, or desired to leave the ambulance, to report to me at once, and I would attend to it. Well, the next morning the expedition resumed its march, and he was gradually sobering off; he exhausted his supply of whisky which he had in his small bottle, and he found he could get none from the demijohn. We moved along that day, stopping for nooning near the Elkhorn river. We were all the time on the south side of the Elkhorn. When we passed where the town of West Point now is there were only five or six abandoned cabins. They had all gathered into Fontanelle. That was the last sign of human habitation until we reached the Pawnees,—I may be permitted to remark here that it gave me an excellent opportunity to see what Nebraska was then in the wilderness, away from civilization. It was a beautiful landscape as my eyes ever rested upon. I wondered almost why the Almighty did not locate the Garden of Eden in this Territory that was so lovely beyond description; the tall grass of the prairie, rich verdure of green, the birds flitting around to some extent from little twigs,—there were no trees there except over on the Elkhorn, which we were in sight of all the time, I believe. We passed where the towns on the Elkhorn road have since been located, originally, within a range of two or three miles of those cities. Where Norfolk now is there was not a sign of habitation.

One afternoon we were on the watch for the Pawnees, realizing that we were drawing near to them; it was of the utmost importance that no information should reach them that soldiers were pursuing them. It was, I remarked, a hazardous expedition, and I was blamed a great deal afterwards, I found, for taking that command where I did, 194 men against 1,400 Indian warriors. It was a rather remarkable position. Having had some experience afterwards in the late Civil War, I can say that I can remember of no occasion when such a small body of men were to be pitted against such an immense number of men. But my men I knew to be trustworthy. They were frontiersmen, indeed. They were fighting men. They were those who had gone into their fields to cultivate the soil with a rifle by their side and laid it down when they were performing their work on their claims, and having it ready to go to their homes if any Indians appeared. In that way they were living—constantly on the *qui vive*—watching for Indians; and thus they were prepared. They were schooled for such service as they were then engaged in with me, and I felt the utmost confidence in them; thoroughly armed with rifles, shotguns, and muskets, which they knew so well how to use, while the Indians, 1,400 of them,—and I learned that number from an interpreter who had been with me on my visit to the Pawnee village to hold a council—Mr. A———, a most excellent man, who had been employed as interpreter by the government—it is not the Indians who gave me that statement—that they numbered about 1,400 fighting men, but they were poorly armed; some of them with the old flint-lock musket. Well, having thus the utmost confidence in my men I should not have hesitated to have met them in the open field. I had one instrument along which I knew carried fear to the Indians, and that was the cannon; but I was on the watch to see that no person passed us, any other Indian passing on in the direction of the Pawnees to inform them that soldiers were pursuing them. In the afternoon about four o'clock we met an Omaha Indian who was com-

ing from the direction to which we were marching. I stopped him and questioned him about the Pawnees. He could speak a little English so that I could understand him; and he informed me as near as he could that they were in camp about nine miles further on. Being four o'clock in the afternoon and very warm—we could make the march between one o'clock in the morning and dawn to the Pawnee camp—we went into camp right there, as we were near a stream of water, and the men and animals rested until one o'clock in the morning, when camp was broken; the train of baggage wagons hitched up and everything in readiness and we moved forward rapidly. I could gage the movement, speed, or rather the time, by the rapidity with which the marching went on. I could calculate by the hour at what time we would strike their camp. I had formed that plan from the beginning, so as to come upon them at break of day. As we passed over a rising ground, not exactly a steep hill, we came in sight of their camp. The day was just breaking; we could see the smoke curling from their teepees and the squaws running hither and thither gathering up brush and wood and building their fires in order to cook their breakfasts. Well, I gave the order for the command to charge, and the charge went, helter, skelter. The cavalry of 194 were all mounted with fleet horses, and they did charge; they went with the speed of the wind almost, and that old cannon lumbered along over the hillocks, and little chug holes, but it kept pretty near up with us, and the baggage wagons followed; and the cavalry, and the tramp of horses, nearly 200, the baggage wagons all going upon the jump, made a tremendous noise on the prairies, which attracted the attention of the squaws. They saw us coming. We could see them running into their camp to get the male Indians out. You know the squaws perform all the drudgery; they get the underbrush and the wood and the water, and do the cooking, while the lazy, lousy, measly Indians lay in their tents for their women to do all the drudgery. And that is the reason why I have never had much respect for the Indians.

Once while I was holding council with the chiefs in their village, some miserable vagabonds of Indians went way around after I had gotten into the great council tent of the Indians, got into our wagons, there were four of them, which we left on the eastern side of the river, and stole every bit of provisions we had, while the chief was promising everything to prevent the Indians from committing further depredations. I just mention this. My wife, when I knew that I had to go,—she knew about what kind of food suited us—she worked all one night frying doughnuts, over a peck of them, nearly half a bushel; boiled a ham, baked nine loaves of bread and some other things; and when I left Massachusetts a friend gave me a bottle of very choice brandy. I thought I would take that along for snake bites, and those rascally Indians stole it, while the chiefs were promising that they should commit no more depredations;—went to my wagon and took everything we had in it. We had crossed back from their village, and I was anticipating a good meal; we hadn't a thing to eat. You need not be surprised if I had lost confidence in the Indians. This is only one instance of their treachery of which I have known—but to resume:

We charged upon the village, and as we approached we could see the male Indians just coming out of their teepees, and as my men came up right in front of them into line the cavalry formed in line, the artillerymen had their piece loaded, and the guns were loaded of the cavalrymen, and while the chiefs were rushing out towards us, some of them held up a white wolf skin in token of surrender, and, slapping their breasts, some of them could utter these words, "Me good Indian."

"Old Peter," the chief of the Pawnees, whom I had met in those interviews, recognized me and I recognized him. He made a rush right to my horse's head, wrapping the starry banner around him which Buchanan had given him, exclaiming, "Me good Indian,—good Indian,—can not shoot under this flag." He had that idea about the value of the flag.

While these demonstrations of surrender were going on, while our troops came into line, I had the order upon my lips to fire. It was my chance at the Indians; I wanted a little satisfaction for the way they had treated me. When I had been in their village they had robbed me of everything I had to eat. I had that word upon my lips to my men, who were watching me closely and constantly with their rifles poised, and the artillerymen ready to touch off their gun, when some invisible agency seemed to hold me back. I had time to realize this, that if I fired upon them I should be charged with having been guilty of inhuman massacre, for my men with that piece of artillery would have mowed down hundreds of them. The women were mixed with the male Indians and could not be separated. I say some invisible, indescribable agency held me back. I did not give the order. Now, I have rejoiced since and do now rejoice that I did not; for the result afterward was accomplished without shedding blood. I say they surrendered completely. There was never a more perfect surrender than there was there, and that was the reason, under the influence of something, perhaps higher than I, held me back. The result was that they turned over to me six or eight of the men who they claimed had been guilty of the depredation upon the whites. They entered into written stipulations, I think, that the expenses of claims resulting from the destruction of the property of the settlers should be taken out of their annuities—nothing more could be required of them—and we remained there a part of the day and started on our homeward march towards Columbus to get on the military road. Two or three Indians were brought into Omaha and put in jail there and kept there for some time,—the supposed guilty ones. But I went off to the war in the South and did not keep run of them. There was never a depredation committed upon any settler afterward. They were completely cowed easily by the display of my force there to whom they had surrendered. Thus the object was accomplished, for they became friends of the whites. But this fact was accomplished,

also; the government took immediate steps to put the Pawnees on their reservation in Nance county, where the town of Genoa is situated, and put an agent out on their reservation, who remained with them. Thus there was accomplished that which we were seeking, perfect peace with the Pawnees from that time forward; thus it was accomplished without the shedding of blood, because it would have been a fearful massacre if we had fired upon them. That expedition was an important one; not only for the people, but for the Indians. They made peace and they submitted to the authority of the governor, and maintained peace, and they furnished four companies of Pawnee Indians, who were organized as Pawnee scouts, who served with the government troops in their wars against the Indians on the plains. They were with General Crook and other Indian fighters, and performed most useful services.

Now, sometimes an attempt has been made to belittle that expedition. I say, having been in it, and commanded it, it was a most important expedition, and as hazardous and daring as any that ever came under my observation during the Civil War. It is a piece in our history of which I am proud for the effects which it produced—the results which they accomplished; and when anybody seeks to belittle it, or any member of that expedition, he knows not what he is talking about. Those men who composed that force of 194 men were brave, as heroic, as any soldiers that I ever saw in the Civil war. They were soldiers in reality. And they were inspired by the noblest of motives, which were to protect their families, their children. If you make it safe for other settlers to come into Nebraska and settle under a government where they knew the flag would be respected and they should be respected in the enjoyment of their rights—that expedition did accomplish that result.

Before that some settlers were getting scared and unwilling to remain in Nebraska. I have gone from place to place and imparted courage to the people to remain in this Terri-

tory, assuring them that they should be protected in the enjoyment of their property; and I saw the result was accomplished. They were induced to remain and give up all thoughts of leaving Nebraska, because of the facts which I have designated. I have perhaps taken up too much of your time—I know I have; but I almost hesitated to make this statement for fear I should take up too much time. But as I never spoke of it before,—I have never given anything to the press, althought I have been often and often urged to do so. But I did now, being urged this afternoon,—did desire to make a clear statement of what did occur, because I have spoken from positive knowledge. Knowing everything, responsible for everything connected with it, I have now presented to you this statement of facts in regard to that expedition.

I thank you, my friends, for the courtesy you have extended to me, and trust I have not wearied you too much. [Great applause.]

EARLY DAYS IN THE INDIAN COUNTRY.

The following address was delivered at the annual meeting of the Nebraska State Historical Society, January 10, 1900, by Major C. Anderson, of York, Neb. Major Anderson at the time was seventy-six years old, tall and athletic in figure, and with touches of frontier dialect in his story that made the audience at times burst into peals of laughter. His address was delivered without notes and taken down in shorthand.

MAJOR ANDERSON—I wish to say that I am no public speaker. I am here simply by request to tell you something about my earliest experiences in this western country, or, rather, Indian Territory. It would be well first to describe what was known at that time as the Indian Territory. It was from the western line of Missouri eight hundred miles west to the Rocky mountains, with the exception that New Mexico, as now it is, was claimed by Old Mexico, and Texas then, as you know, was in dispute. Mr. Houston and Santa Anna were not altogether quite satisfied with the results. The western border of Missouri and the Arkansas river—I believe that the State of Arkansas claimed all the territory south of the Arkansas river—the balance of it went clear to the British possessions, and it was then in dispute, as it is now, as to the geographical line. All of that vast country was inhabited by savages, and some of the very worst type; and some of them were cannibals. I left my home in Knightstown, in 1840, a boy sixteen years of age. Previous to that time there was an old Revolutionary soldier, relative of mine, and I used to accompany him on his trappings. He was a great trapper, and I accompanied him on his trapping expeditions. We trapped all over northern Indiana and eastern Ohio and Illinois, and he also taught me how to prepare the pelts for the market. Well, when I left home in 1840, I went up into what was known then in

Indiana as the Western Reserve, among the Wyandot Indians; in fact, I stayed with them and trapped all through, along the various streams, along the Wabash river, and the White river, and those other streams; and finally I came down to the Illinois river and I loaded my pelts on a boat, and took them to St. Louis and sold them. While I was at St. Louis General Houston, of Confederate fame, came up from Louisiana, came up from Baton Rouge, with some troops to reinforce the fortifications, or, rather, to protect the western portion of Iowa, and I got permission to come along, and I fitted myself out with traps to go with them. I went with them across the state, and I found at Des Moines river, where the North Coon empties into the river, right along the bank next to the river—to North Coon—was the barracks. It had been occupied by some troops, and I think they had moved farther up the river, up towards Fort Dodge, I think it was. Well, now, I stayed that winter at the barracks there; I helped build those barracks, and I trapped up the Des Moines river and up the North Coon, and I got quite a good stock of pelts—now mind you what the value of these pelts were at that time. We got $8 a pound for beaver, and one beaver skin would weigh from one and one-half to two pounds, so you can see what profit there was in it. Well, while I was at Des Moines I got acquainted with "Old Green." Any person here that is from Iowa will remember "Old Green," who was the chief of the Sac and Fox Indians. I was pretty familiar with these Indians, and I got on good terms with them; and they had a lodge in what we called then the "Three-river Country," and I am told that they started a town—there's a town there since by [the name of] Winterset, I believe it is on the map. I stayed that winter with old Chief Green. Then I got an opportunity to go with the government wagons to the river; took my pelts along with me, and I disposed of them at St. Louis; and I fitted myself out then again, thinking I would go back into Iowa, with some trinkets—beads and

such things—that the Indians wanted; but when I got to St. Louis I saw a boat there loaded with wagons, ox yokes, chains, and things that were needed out here on the plains; and instead of going to Leavenworth I got off at Independence, Mo. And now I will read you the letter that I wrote to the secretary here; we—and then I want to tell you, if I have the time, of two battles that I was in here out in the West. I was in several skirmishes, and some pretty serious ones, and also I want to tell you that this battle that I am going to tell you about, and one that I was not in—there was two battles you might say, the one that I was in and the one that I was not in [applause]; the one that I was in—I want to tell you about that after I read my letter. And then one that I was not in I will tell you about [ripple in the audience]; and I will tell you all the parties that took part in it; they are familiar. I see there are some soldiers here; Colonel Russell and others here that I know that were familiar with these men. [Here reads letter. After reading a portion he says:] I wish to say that I can write a little better than I can talk [laughter]. [Remarks continued:] Now I want to tell you a little incident here. There was a gentleman "Major Drummer,"—you know what that is,—that is a man that has charge of the teams, of the wagons. He died a few years ago; he lived in Missouri at Freeport, now Kansas City; but he moved. The last account I had of him he went to the town of Knox, that is in Kansas somewhere. He sized me up when I went up to him and asked him if I could get a job of driving the teams. Now, then, they didn't drive teams then like you would drive a team. (There was the first Mexican I ever saw.) But they had five or six teams, or span of mules, to one wagon, and slashing around from right to left like you would oxen in our country. And this man Brown, he looked at me a little while, and I had a gun,—I'll tell you I got a gun made, a rifle just after my own notion, at St. Louis, but it was the old style. We didn't have caps; we could not always get

caps. So he looked at me a minute, and he says, "Can you shoot that gun pretty well that you have got in your hands?" I told him I had killed a few ducks and geese coming up on the boat; I didn't know as I was perfect. And he pointed to a Mexican, who took a play card and stepped off fifty steps and stuck the play card up on the side of a post, and I drawed up my gun, offhand, and I just ticked the edge of that card. Of course I could not talk Mexican then, but I motioned to the man to push it off another fifty steps; so he did so, and I drawed up with my gun, and I came very near "catchin' him center," as the Frenchman told me once when I was struck here [indicating] when a child with a ball. He told me then he guessed he would give me a job, and that is the way that I came to go through with him. They agreed to pay me $50 a month; that was pretty good wages, but a man had to run some chances of losing his scalp by the way. [Here continues to read from letter] "it was exactly suited to the disposition of a Hoosier boy of seventeen summers, etc." [After reading awhile remarks resumed as follows:]

You must remember, those who are acquainted with this trail, it followed up on this side of the Arkansas river, by the Cottonwood, clear up to Fort Bent. Charles Bent, the first governor of Missouri, had established a trading post there. [Continues to read letter.] "This was right in the heart of the Comanche country; there must have been three hundred of them, etc.,— [When he comes to the word "fusee," stops and explains] I suppose most of you know what that is—"fusee." [Continues to read again from the letter] "Most of them had bows and arrows and spears, etc." [After the word "bullets," in giving an account of what was sold to the Indians, he explains] that was a bad thing to give them, but they got good pay for it. [Continues now in direct discussion.]

Now, gentlemen and ladies, I am going to tell you [ripple in the audience] I went all through the late war; I got

home just in time to vote for Abraham Lincoln, the first vote I ever cast in my life. Then, to back that up I enlisted in an Indiana regiment, Wallace's regiment, and I was in several hard battles. [The speaker continues parenthetically] I never like to tell that,—but I have always made it a rule to present the bright side of the picture; the dark is bad enough at best, but that has been all my life a rule that I have made. One object I have in making this statement is simply this: My friends and some of my children have requested me to give the public my experience in this western country; and I have this last summer made up my mind that I would do it.

I have just returned from my old stamping ground down at Santa Fe and those places, for the purpose of refreshing my mind of some incidents that I had partially forgotten; but it was one of the most saddest things to me to go up to old Santa Fe, the old burying grounds, and look over the old tombs that were there. I found one man that I was familiar,—acquainted with; that was Kit Carson; all heard of him; his friends had taken up his bones and taken them back east. Now I will tell you first of the battle that I was not in [laughter]. And I got a card,—well, in fact, Charles Bent and Fremont, and quite a number of prominent men made this remark about it afterwards, "That it was one of the characteristics of the boy." That was the way they framed it. I was trapping up on the Glorietta mountains; there were seven of us. The Glorietta mountains is the divide between the Rio Grande and the Red river. You know we always had to have a guard. A number of us would sleep while the others remained on watch. Because these Indians —you could not trust them scarcely at all; they would slip up onto you, ambush you and every way, if they could do it, get to you. So I was out in the morning right early. I had slept pretty well all the night, and I thought I would strike out and look after my traps. It had snowed a little; it snows a little there all the year around on those moun-

tains, and it had been a little skift of snow. I had not went more than fifteen or twenty steps from our camp until I seen a big track right in the snow. Well now, you know we had other animals to contend with out there besides the Indians. We had the cinnamon bear, the black bear, and the big chief, the grizzly bear,—but the grizzly bear was not such a terrible man-eater as most people think for. But in all probability they have violated some of the laws,—no doubt about it [laughter]. But I knew it was a grizzly bear the minute I saw the track. I went up on the side of the cliff, up on top of the cliff, and there was a clear piece of ground, about an acre. I pushed some underbrush away from it and looked through, and I found the bear in a cave with six others,—no, five others. Well, I knew it was suicidal to make the attack, and if there was anything on God's heavens that a bear dislikes it is a cowardly enemy. So, what else could I do? I just stood and looked at it and never moved hand or foot; I knew it was no use. And one of those came right up at me pretty near, probably half as far as across the room, and then go back, and started out again and dared me. I took it as a dare—I didn't expect to be entertained in a convention of bears [great laughter]. I felt that I was an intruder, the fact of the business; so I stood pretty still. They made several *sachezs* backwards and forwards, and finally one of them took a jump and away they went and all the rest followed suit; and they were so panic-stricken that they ran through the camp and over one or two of my comrades there lying asleep, and knocked the camp kettle over and put out the fire.

Now I will tell you about the battle that I was not in [laughter]. I don't want to tell you all of what I intend to put in my book, or none of you will buy my book [ripple in the audience]. General Kit Carson had come to Fort Leavenworth with a squad of cavalry; I don't remember how many, but quite a number, sufficient to enable him to get through safely, and he took possession of New Mexico,

and he had his headquarters at Santa Fe, as that was the capital of New Mexico. He had his headquarters there, and after he was there awhile Gen. Sterling Price—I call him General because we knew him as general and also as a colonel,—also came there; he was another general of Confederate fame. He took command at Santa Fe, and General Kearney took his command and went on across the mountains to California; and he left Col. Sterling Price in command. Taos was my old home; and I still have some interests there. My children are there now. So, at Taos they had formed a conspiracy to kill every white or foreigner that was in that country. Ferdinand at Taos pueblo established a large church that was built of adobe, that was about two miles,—they had selected that place to start. So they commenced in the morning, and they just killed and butchered every man, woman, and child that they came to with the exception of those who had gray eyes and light hair, the children. That was a mark,—they drew the line you know,—those men that had went out there had married Mexican women, and their children had light hair,—but a good many of them that did not save, so the report came to us. I was up on the Rio Grande at the time, seventeen of us, and there was other trappers at Pueblo and this other town, I forget the name of it, where the Rough Riders met this summer,—there was another squad there. And one of these men had got knowledge of the fact that they were being murdered, or just wholesale slaughter of the people that was there, so we gathered up and went to Santa Fe, and Colonel Price only had but a few men. Kearney had taken most of his men, but we went anyhow; we got what men we had, and other men, all volunteers; we went with them, and we found them in this old church; they had done their work, and was fortified, as they supposed, inside of this church. Well, now, we had to storm that church. There were sixty men of us, and I think there was 225 that bit the dust, and we lost six. Now that battle

started in the morning, and it lasted all day, the whole livelong day. I was going to tell you I never see anything equal it in the Rebellion, and I was all through it. It lasted all day, and when we got through at night it was kill or be killed—that was all there was in it; that was the sum of the whole business, and, of course, a man is going to strive desperately hard to save his own life, and we knew that. But they got half of our number, and we took twelve prisoners, and those were court martialed and hung. That was the final result of those men; I believe one of them got away, I am told that one got away; that was one of the men that was instigators of the revolt. Now, ladies and gentlemen, I have taken up, I expect, a good deal more time,—I could talk an hour and not tell you half what there is to be told. But there is one thing I might say, if they will indulge me with the time. I have had, I presume, as much experience with the Indian as most any man now,—I presume as much as any man living; and I found that the Pueblo Indians were the only Indians,—that is the Aztec Indians—there is three classes, the Navajo, the Aztecs, and Comanches are all of the same family, but they are subdivided and they have the same language just the same as the Pueblo, as we call them, —just the same as the Sioux, Sacs, and Foxes. Those Aztecs were the Montezumas, and I think it was the greatest pity that ever happened that those picture writings that these monks kept when they took the City of Mexico were shut off from there, that would connect these people with the Mexicans or with the Pueblos, just the same time as they had picture writing in Egypt. I think it was a grand mistake in destroying that picture writing, because it was very interesting to know that they had a pretty good state of civilization, and they had the knowledge and—the worst of all is that with all of our educational interests, the government sustains them there in their reservation and keeps them up, and they commit some of the most outrageous, dastardly work that could ever be conceived by the mind of man, in

their religious ceremonies, their worship. Now another thing, my opinion—I've got my own opinion about it, you may have another opinion, and others may have other opinions—but I believe, notwithstanding all the money that has been paid to educate those Indians—it is just simply like this; you take an Indian and civilize him, and you polish him and you put all this expense,—and he is Indian just the same all the time; and there is just about the difference between an Indian at large and an Indian civilized as there is between a tiger at large and a tiger in the cage. That's about all. I thank you. [Great applause.]

FREIGHTING TO DENVER.

Address delivered by T. K. Tyson at the meeting of the Nebraska State Historical Society, January 10, 1900. Taken down in shorthand for publication.

MR. TYSON—My acquaintance with Nebraska only began four years before it had a name. We called it "Over the River." But it is not so much a time to tell about the things that happened so long ago, though my father's family had somewhat to do with the early days of Nebraska, even before it had a name. But my first trip across the plains was in '64. I left the farm of Moses Stocking, whom all old settlers know, on the 16th of May, 1864. For my team I had a good stout yoke of stags, and they were on the tongue, a sprightly young yoke of steers in the lead, a yoke of wild steers that we caught up that very morning and yoked for the first time; a yoke of cows,—and I want to say this much for the cow on the road: I never saw a lazy cow in the yoke, but I have seen horrible lazy steers. We started to learn very soon the truth of that song that all the old frontiersmen known, to the tune of "Root Hog, or Die." [Song inserted here.] Another beautiful poem that we learned when we were alone, "How to Turn a Flap-jack." I don't think I was ever a very accomplished frontiersman because they could turn a flap-jack to a nicety, cooking his flap-jack on his fry-pan over the coals, with the fuel of the plains; when it is just about done so that a woman would take a cake turner and turn it, he would just take it and throw it up and down it would come. I could never do that; it would come down on its edge and go to smash, and the smoke from the bacon and the fire would cover your face and nearly suffocate you. There was a beautiful poem that used to go something like this (the refrain is "Ouch-Ouchy, Wouchy-

Skouchy"). And I have heard that told a thousand times, many times when a man was about suffocated with smoke. We made our journey from Plattsmouth, arriving on the 21st day of June, as the poet had it, for the last verse of that song was:

> "We arrived at Denver City on the 21st of June,
> The people were surprised to see us there so soon,
> But we are good bully whackers,
> We go it on the principle of 'root hog, or die'."

And the people were surprised indeed, to see us there at all, because two nights before we had arrived there had been a most fearful panic imaginable caused by the murder of the Hungate family of Running Water, and reports coming into Denver that the city was to be taken by the Indians; that all the Indians of the plains were moving on Denver, and there was a panic. Only strong, able-bodied men, men who were ready to whip Jeff Davis when they might see him, they would wilt and hide themselves. And they were surprised to see us coming in because they supposed everybody on the plains was killed. There was great danger. I made five trips across the plains. After having enlisted in 1864, at the outbreak of the Indian war,—Cheyenne War, in which Colonel S. distinguished or extinguished himself,—just the same here to-night;—it was necessary to open up communication again with the States, and I enlisted in a regiment. We were then all under martial law, and when we had dealt with them at Sandy Creek, the way was clear and the fort was taken. And in September I started with a sick minister, a pastor of the first Baptist church ever organized in that country, took him to Atchison, Kan., because that was the nearest railroad station; he was dying of consumption. He went home to his native city of Providence, R. I. Coming back I loaded with onions, because I had observed that onions were worth thirty cents a pound in Denver, and anybody could see, at least any greenhorn could, that that was just the thing to load with. When I got down

to the river—I didn't think of the number of onions that might go in;—I loaded with onions at Atchison, Kan., paying a dollar and a half a bushel. I sold them in the spring in Denver and got fifteen cents a bushel. I came out so far behind that I never tried to figure it out; I just tried to pay my debts the best I could. In all this experience across the plains there came a time—in fact it was true after the war of 1864,—when we wanted to pass Kearney going west, or Cut-Off Junction, going east, it was necessary to organize into military companies, having a regular military organization under the command and the direction of a military commander at these posts. At every military post we were halted and counted, and we had to have one hundred men and sixty wagons before we were allowed to pass, and these were organized by the election of officers, a regular guard was kept just as regular as in any military organization. I think one reason that I am not any taller is that I got a few inches of my height frightened out of me during those days. I had just been elected lieutenant of our company going down, and they all were as brave men as I ever saw. We walked on ahead, the captain and I, of our company,—and we were the officers of it,—and nothing on but our big navies, and when we got about three miles east of Cottonwood Springs, came to a short canyon going down. We had to go down the bank and then turn down and find a way out. We just followed the road in the middle of the canyon. We met—horrors! Three big Indians. Armed? I guess they were armed, too. There we were, and no wonder I never grew any more. I was only nineteen then. Well, we lived through it. We found that they were scouts that belonged to the post [laughter]. I says, "My, if I was ever scared in my life, that was the time," and he said he was. I thought he was calm. There was times that it was enough to scare men, as I wrote to the secretary. We came to Elm Creek. I think it is just opposite of where Lexington is now. We found the remains—in the fall of '65 going back,—smoking

piles of shelled corn lying with a trainload of corn that had been burned, and the men, all of them, being killed. And some other freighters had been there just before us and they buried these, and the ground was yet stained with the blood of the men that had been buried there. The blood was there —hadn't yet dried on the ground, and there were times indeed that tried men's souls, and a braver seems to me never banded together than those men organized in that way to brave the dangers of the plains. When the Boers whip the English, and God speed the day [applause], we will call them great. But I believe the men who conquered Nebraska, the virgin soil of Nebraska, and the men who braved the plains in these early days will stand just one notch higher than the Boers for bravery and courage.

Looking at this building to-night I was reminded of the way we used to make a corral. We traveled sometimes, and it would have been better if we had always done so, double file; two teams abreast, because the road was wide enough, wider than any city street all the way from the Missouri to Denver on any of these roads. The wagon master would simply ride out and take his place, or captain if it was under our organization, take his place; one-half of the men would start out at a proper place and make a semi-circle, going around just opposite of the captain; and the other half going around in the opposite direction, and make pretty near a circle. The front wheel of the second wagon, the inner front wheel of the second wagon, would come up to about eight inches or a foot of the off hind wheel of the first wagon, and so on.

After we had become a little civilized in the matter we learned to make a very beautiful corral, and it was quite a defense, and in time of attack, as many brave men found it, most helpful as a defense. In time of danger when we were threatened, as often we were, with an attack from the Indians, why we had everything inside of the corral, all of the stock inside, every man inside, and of course we had

quite an improvised fort there every night. Of course I need not talk at any length. I have said that these freighters were very brave men, and they were honest men, too, but they would steal [laughter]. I never saw one that wouldn't steal a warm bed from a steer, in October. You see a steer near by and you would stand around there; if a steer would lay still and let you lie down by his side, you would let him stay, but if not you would drive him out and cuddle up in his place. I believe there was no better natural road on earth than the road from the Missouri river to Denver, although it had its bad places. It was the best natural road for the length of it, it seems to me.

I thought when Mr. Anderson was speaking about the dangers through which these freighters had passed, "true enough, it is surprising that we are any of us freighters here to-night, and have any hair left at all to-night" [laughter].

FREIGHTING AND STAGING IN EARLY DAYS.

Jay A. Barrett, Esq., Librarian, Lincoln, Neb.:

DEAR SIR:—I have your favor of July 17, 1899, in regard to early times in Nebraska and will try to give you an idea of some of the experiences of an early settler.

I left St. Louis, Mo., in February, 1859, and came to Nebraska City by stage coach from St. Joseph, Mo. The ice being too soft to bear the weight of the coach, the passengers walked across the river from the Iowa side. The first person I met after crossing the river was a Mr. John Irwin, better known as "Uncle Johnny." Going on up to the town, I found my friend, S. F. Nuckolls, the founder of the city, and at the same time met the Hon. J. Sterling Morton and Gov. S. W. Black. At that date the governor, judge, and nearly all the other territorial officers lived in Nebraska City. The office of the surveyor-general, as well as that of the United States quartermaster, Captain Dickerson, were also located there, and all the government freight for the posts on the plains started from that point under contract with Alexander Majors, successor to the freighting firm of Russell, Majors & Waddell.

In 1857 the original firm had the contract to transport the supplies for General Johnston's expedition to Utah. The contract price for transportation of supplies from the Missouri river to Camp Fillmore, Utah, was nineteen and three-fourths cents per pound. In 1858–59 the government contract for transportation to the western posts, Fort Laramie being the distributing point, was $1.06 per hundredweight, or about $6.36 per 100 pounds from the river to the fort. The rate to mountain points was still higher, but the supplies were usually carried to these posts by government trains, from Fort Laramie or Fort Union, N. M.

The rush to Pike's Peak in 1859 and 1860 lined the south

side of the Platte river valley with long trains of emigrants, and ranches were soon established along the trail by parties who kept supplies for the pilgrims. If I remember correctly, the first persons who returned from the Pike's Peak, or Cherry Creek, mines were Dr. Mathews and Martin Bouton, who brought back some very small samples of gold dust. That country was then known as Jefferson county, Kansas, of which I think Golden City was the county seat. What is now known as Denver was originally called Auraria, and was situated on the west bank of Cherry creek. In 1862 we transported private freight, principally flour and bacon, to Denver, at prices reaching as low as five cents per pound. The greater part of the supplies for the mines, however, went to Black Hawk and Central City, Colo., as nearly all the mines were situated in Gilpin county.

Times were very hard in the winter of 1861–62 in Nebraska. St. Louis, the only market for farm produce, could not be reached by boat, the river having frozen, and in consequence corn went begging on the streets at eight and ten, and wheat at twenty-five cents per bushel. Cattle and hogs sold as low as one and a half cents per pound. But all kinds of goods, sugar, coffee, dry goods, boots, shoes, and general supplies, steadily increased in price until in 1863 coffee, green Rio of a quality quoted now at seven and a half cents, was sold at forty cents a pound, and domestic, now sold for five or six cents, brought fifty cents per yard. We paid freight on supplies from St. Louis to St. Joseph either by boat or railroad, and from thence to Nebraska City, at a rate averaging $1 per 100 pounds; but during low water and late in the fall I have known freights to reach as high as $4 for a hundred pounds, delivered either at Nebraska City or Omaha.

The Indian war of 1863 and 1864, known as the Red Cloud war, started business to booming again, for the government was sending troops and supplies to all parts of the plains, and freighters had plenty of contracts at high figures, the

rate being ten cents per pound to Denver, Camp Collins, and Fort Laramie, and from twelve to fourteen cents per pound to Fort Halleck and Fort Sanders.

These prices continued until the building of the Union Pacific railroad, which reached Kearney in the fall of 1866. The next year the government freight and all other freight was shipped by rail to the town of North Platte, Neb., and from there forwarded by wagons, which tended to reduce the rate. As the railroad lengthened the wagon routes were correspondingly shortened. In the fall the road had reached Julesburg, and a little later Cheyenne was the terminus, so that by the winter of 1867–68 the freighting business had practically ended. The Union Pacific, however, still kept up a pretty stiff rate for railroad freight.

In the summer of 1866 I transported three hundred thousand pounds of freight from Nebraska City to Salt Lake City at eighteen cents per pound. We had a contract at Fort Laramie in 1865 for corn at $7.50 per bushel. Corn, which was brought in part from St. Louis, cost that year at Nebraska City $1.50 per bushel, that leaving us about eleven cents per pound for transportation. Corn sold in Denver at fifteen cents a pound and flour at $20 for a bag weighing ninety-eight pounds.

The rates for transportation of passengers were at as high a figure as those for freight. The Overland Stage Company in 1863 charged $75 fare to Denver and $150 to Salt Lake City, while in 1866 they got the price up to $150 to Denver and $350 to Salt Lake City. The baggage of each passenger was limited to twenty-five pounds and there was a charge of $3 for every extra pound. At $1 each, meals, consisting of bacon, bread, and coffee, with sometimes game, such as venison, antelope, or occasionally a sage hen, could be obtained. Butter and eggs were unknown luxuries at stage stations, the former selling in Denver at $1.50 per pound and the latter at the same price per dozen.

We rode night and day in the stuffy, uncomfortable coach,

journeying six days to reach Denver and eleven or twelve days to Salt Lake City, in marked contrast to the comfort, time, and cost of travel at present. At a cost of $14 the traveler is now carried in a Pullman car to Denver in twenty hours, and twice the time and $36 will take him to Salt Lake City. Should he prefer, he may make the round trip for one fare and a fifth, but in the old days a seat in the coach cost the same both going and returning, and its possessor reached his destination weary and travel-worn. At that time a trip by stage was considered very grand, yet I have no desire to repeat the experience.

WILLIAM FULTON.

Kansas City, Mo., August 18, 1899.

FREIGHTING IN THE '60s.

Written for the January, 1900, meeting of the Nebraska State Historical Society, by Herman Robert Lyon, of Glenwood, Iowa.

When I see the through freights steaming past on their way to Denver, the "flyer" and fast mail speeding at a terrific rate over the solid "Q" road, I am forced to admit that they beat the ox teams and big wagons and the "mule-backs" that had a corner on the business in the '60s.

My first trip across the plains was made in 1862. We started October 8 (my birthday), with ten loads of shelled corn for the government, and were bound for Fort Laramie, Wyo. We crossed the Missouri river at Plattsmouth and loaded at Nebraska City.

Moses Stocking of Ashland, Neb., was wagon boss. The teamsters were John and Andrew Tutt, John Daugherty, "Billie" Donnelly, Johnse and Fete Tysen, Marion Bomar, a fellow from Missouri (have forgotten his name), Joshua Bodenheimer, and I. We were paid $25 and board per month.

The roads were pretty good most of the way. Crossing the South Platte, at Julesburg, Col., and going through the sand-hills we had to put seven or eight yoke of oxen to a wagon, which made progress pretty slow for a few miles occasionally. On this trip we went about twelve miles a day.

At Julesburg we got sight of the Rockies, and although one hundred miles off, the exposure gave several of us a severe attack of "mountain fever."

Our route was mostly along the South Platte to Julesburg, then we struck northwest, going through the old village of Lodge Pole, to the North Platte.

By going this way we had plenty of water for the oxen and avoided the alkali districts, although on the stretch between Julesburg and the North Platte, near Court House rock, we had to go nearly forty miles without water.

We forded Salt creek at Ashland, the old trail leading to about where the dam for the electric light plant now is.

The first storm struck us when we were about twenty miles east of Fort Kearney. It was a fearful blizzard and furnished an experience that none of us cared to have repeated. A terrific northwester, with blinding snow, made fires and warm meals impossible, especially when the fuel consisted of dried buffalo and cattle droppings gathered along the way and thrown into sacks provided on the sides of the wagons. I tell you we felt glad to see old Kearney looming up when we got to jogging westward again.

Cactus had been troublesome along the way, but beyond Fort Kearney our camping grounds were not a bed of roses —or, if they were, sure enough, your honor, the roses had been plucked and nothing left but the stickers. The oxen, too, suffered much discomfort, for often they had "pancakes" sticking to their sides when they got up.

I never see cactus plants of the spined variety but what I think if owners of the —— sticky things had crossed the plains by ox team in the '60s there wouldn't be much love left in their hearts for the cactus tribe.

My wife had the cactus craze (she did not cross the plains), and when her collection, for which I could not get up the slightest enthusiasm, froze last winter, I fear my regret was neither deep nor sincere.

Stocking, the wagon boss, rode an old mule and always went ahead to find a camping place, then rode back to the trail to conduct us to it. At night we made a corral for the cattle, took all possible precaution against a stampede, and kept a picket out to watch for Indians. The Indians were very friendly along the way, on this trip, but their approach was liable to stampede the cattle.

The two days out from Fort Kearney were hard ones and we were tired enough when we went into camp the second night. I always slept leaning against one of the oxen; the creature was warm, a condition not to be overlooked during cold weather on the bleak plains. Then, in case of a stampede I would awaken when the ox got up. On this night, however, I was dead asleep and slipped to the ground without awakening when the ox got up. What did waken me I never knew, but have always believed it was the hand of Providence, for when I opened my eyes a large gray wolf was standing not more than a dozen feet from me. There was no mistaking the creature's identity, for I had met His Majesty on previous occasions in Michigan and Illinois. I could feel my hair raise, and it went up quicker than a silk umbrella, too. I had no gun, not even a pocket-knife. I grabbed my hat, flourished it wildly about, and yelled at the top of my voice. Frightened at the sudden action and the noise, the creature fled. I was not slow in getting out of that and looking up my oxen.

There was sufficient game along the Platte that the wolf could not have been very hungry; if he had been I doubt if a hat would have stood in the way of a coveted meal.

I am certain that our crowd never forgot their introduction to Julesburg, Col. We stayed there one night and put in the next day crossing the South Platte. We put seven or eight yoke of cattle on each wagon, and four of us had to wade across with each load.

The mush-ice was thick, and the chunks of floating ice often struck us with such force that it nearly knocked us down. We were wet to the armpits, and after wading the river nine times I must admit that I was dead tired, ready for supper and a seat close to the fire.

We got on very peaceably until we got to Pole creek, between Julesburg and the North Platte; then two of the drivers got into a dispute and finally indulged in a little physical exercise. I was not on the grounds at the time,

and there were several stories about the affair, which arose over the question of herding the cattle. In speaking of the affair afterward we always referred to it as the "Battle of Pole Creek."

One of the high bluffs along the North Platte, just before we reached the Wyoming line, was covered about ten feet deep and about eighteen or twenty feet around with buffalo bones and heads. The scores of heads with the large black horns was a sight I shall never forget, and I imagine there was a "rattling of dry bones" when the top of that bluff was unloaded.

We were told that a famous chief had been buried there, and I have often thought of the amount of labor that monument of bones represented. I imagine I could almost see the poor old squaws trudging along many weary miles, through snow or rain or the blazing sun and toiling up the steep bluff, dragging a head to add to the pile.

After unloading at Fort Laramie we all went to Denver. Those who wanted to stay got their discharge and pay and the others returned with the teams. The fellow from Missouri, John Tysen, Joshua Bodenheimer, and I remained.

Bodenheimer was a printer and struck a job on the *Rocky Mountain News*. The last I heard of him he was running the Carthage (Mo.) *Press*. John Tutt is in the mercantile business in Plattsmouth, Neb. Marion Bomar is living in Missouri; do not remember his address. These are all of the "original ten" that I know to be living. Billie Donnelly died in Glenwood, Ia., about ten years ago, from the effects of an amputation of a foot.

There was a bridge in process of construction across the Platte at Denver, and I got a job there at $3 per day, and worked about one month.

As my occupation, previous to freighting, had been soldiering and lying sick from typhoid fever in Mississippi and Tennessee, it seemed to me that the winter of 1862–63 was the coldest winter on record.

In January, 1863, I went to Central City where I remained till 1864. I ran an engine in P. D. Casey's quartz mill, and tended plates in Armour's mill.

On January 15, 1864, I started for Pana, Ill., to claim "the girl I left behind."

I went as far as Omaha by mule team. We saw a good many dead cattle along the way—in fact, almost whole trains of cattle froze that winter.

When we reached Rawhide creek an Indian came up to our wagon; he was friendly, shook hands, told us his name was George and that he belonged to the Pawnee tribe. He said he was hungry and wanted some tobacco. I gave him some bread, meat, smoking tobacco, and a little coffee.

The incident that furnished a name for this creek also added a page to state history. A party of '49ers (though it happened to be in 1850), were near the little stream. One of the party who had a gun but had failed to find any game declared he would shoot the first live thing he saw. As they reached the stream he saw a squaw sitting on a stump or log on the bank, and, carrying his threat into execution, he shot her. A party of Indians soon found the dead squaw and made hot pursuit of the whites, whom they overtook at a short distance and demanded the man who had done the shooting. They at first refused to give him up, but as the Indians threatened to kill the whole party if he was not surrendered, and they did not approve the action anyway, the guilty one was delivered to the enraged red men, who took him back to where the squaw was shot and skinned him alive.

I started on my second trip in May, 1866, I made this trip alone with my own outfit. While on my first trip I had taken note of what was most wanted and would be most appreciated along the route. I had a large, strong horse team and piled on all the load I thought they would pull, to start with.

My load consisted of butter, sugar, coffee, tea, eggs, cabbage, cookies, tomato catsup, and pickles. I went as far as Fort Cottonwood and averaged about $6 a day net profit on the round trip.

The catsup I sold at fifty cents a small bottle, cucumber pickles I sold at seventy-five cents a dozen, or $10 a twenty-five-pound powder keg full. A few bushels of good sized cookies went at two cents each. The butter had to go first, as the increasing warm weather did not improve the flavor. I could have realized a better profit if I had been able to get it to Fort Cottonwood in good condition.

About thirty miles east of Fort Kearney I stopped at a ranch, and as my team was used to standing, I did not tie them. I stepped into a back room where several were seated at a table eating, when my team started. There was a child about three years old standing between me and the door. I jumped over the child, down and out of the door, and succeeded in stopping my team by the time it had gotten about thirty rods from the ranch house. I believe this was the fastest sprinting I ever did.

When I got the team back I found two Indians there, and it did not take me long to guess what had stampeded the horses. One of the Indians was the Pawnee I had met at Rawhide creek; he knew me and spoke of the previous meeting in very good English.

About six years after I met "Pawnee George" a third time. One Sunday afternoon I was sitting by a front parlor window reading a book, when my eldest daughter climbed on the back of my chair and whispered in my ear that an Indian was standing at the gate. I looked out and saw a red man, his arms folded, leaning against the gate and gazing intently at me. I put down the book and walked out to where he stood. He was most cordial in his greeting, shook hands, and wanted to see my "squaw" and "pappooses." I invited him in, and my wife gave him some lunch. All Indians look alike to me and I did not recognize the Pawnee until he referred to our previous meetings.

I lightened my wagon considerably at Fort Kearney, where I was detained several days on account of Indian troubles. The Sioux were on the war-path and the officers at the fort

would not let a small train leave, so I had to stay until forty wagons were going my way. We kept sentries out every night and took all possible precaution against stampede.

At Fort Cottonwood some drunken, boisterous soldiers were having a regular "shindy" and some of them were already in trouble. They were too badly intoxicated to know who came or went, and realizing that they would offer no protection should the fort be attacked, and fearing the foe less than the friends, I left Fort Cottonwood without escort and drove twelve miles that night. I will not deny that they were anxious miles. I reached Fort Kearney in due time without seeing any Indians.

At Fort Kearney I got in with seventeen teams coming homeward; one had come through from California. We met the Californian with his wife and three or four children, on the 3d of July. The next day, to celebrate, he treated his family and myself to California wine.

My route on this trip was along the South Platte most of the way. I crossed the Missouri river on the Plattsmouth ferry and Salt creek at the old Ashland ford. The roads were pretty good most of the way.

I rested my team a few days, got my "cargo" together, and started on a third trip "on my own hook," in July, 1866. My load consisted of tinware, groceries, and a good lot of eggs.

The roads were fairly good on this trip, but as I did not clear more than $2.50 to $3 per day I turned my attention to other occupations nearer home.

The Indian troubles had reached their height about this time and freighters were liable to be detained at ranches or forts—if they escaped being scalped.

Between Fort Kearney and Fort Cottonwood we went out from the river three or four miles. The road was a little better, and we found it was greatly to our advantage that we did so, for looking to the south of us we could see cattle stampeding about three miles off. We knew it to be a signal that Indians were near and hustled to get our stock into corral.

When I reached Plattsmouth on my return trip I found the river higher than it had been for years. The ferry took us away above Plattsmouth, unloaded us on a high point of ground, and we had to go through water for five miles. Part of the way it was up in the wagon box.

I have a gentle reminder of old freighting times, occasionally. I sometimes think the railroad companies put it up on me a little on freight rates. When I speak of it before my wife she is sure to remark: "My dear, you would not haul them any cheaper."

THE PLAINS WAR IN 1865.

Written for January, 1900, meeting of Nebraska State Historical Society by C. B. Hadley, Nehawka, Neb.

It was on the 15th of October, 1862, that a small party of us left Andrews county, Missouri, for Denver, our wagons loaded with apples and drawn by oxen. I was a young man at that time and had but $65 to begin business, so went as partner with one Dick Rixler. We bought us a cheap team and wagon, everything being very cheap, and engaged to haul apples by the hundred. We crossed the Missouri river by ferry at St. Joe. Everything went smoothly for two or three days, when we woke up one morning to find our cattle had all been driven off in the night by the Indians, but we were so fortunate as to recover them without trouble. We arrived at Marysville, Kan., on the evening of the 24th, and camped on a hill west of town. The weather had been warm and delightful, but a cold wave came down in the night and continued two days, freezing our apples slightly. The rest of our trip was uneventful, the weather as a rule being fine, but occasionally a northerner would come swooping down and rain sand in our faces to a fearful extent. It was my first trip across the plains, and to say it was a grand success would be putting it mild. We arrived in Denver the 23d of November, to find the market glutted with apples, selling for about $4 per bushel, and everything else selling in proportion. We made two trips from St. Joe to Denver, making but little more than expenses. We then dissolved partnership.

In regard to the roads would say they were generally good, except in the spring and early summer; then the alkali lands were bad. Of bridges we had none after we left the Nemaha in Nebraska, having to ford all the streams, the worst roads being the sandhills between old Julesburg and Upper Junc-

tion. But in '63 McCoy got a charter to build bridges over the sand with litter from the ranches and stage stations. They then hauled sod and spread over the litter. I was employed on the works about three months. I did first rate on the toll road—cleared enough money to buy a first-class team. Then I went to freighting from Missouri to Council Bluffs and Omaha, clearing about $150 per month, and continued until the winter of '64. When the news came to Savannah the last of December, telling of the Indians burning the ranches and killing the ranchmen, killing the freighters, destroying their goods, driving off their teams, and burning their freight wagons, I knew then if a man could get to Denver with a load of apples he would make a big thing, and lots of excitement besides. So I bought a light three-inch wagon. I had a span of young, fast mules. I loaded apples after lining the box with paper, packed the apples in bran, and started the 7th day of January, 1865, crossed the Missouri river on the ice at Nebraska City on the 12th, got to Fort Kearney the 17th. Having gone that far alone, I stopped there four days waiting for a train to collect, for the Indians were doing depredations all along the road. During my stay there a small train of empty wagons came in. They had had a running fight with the Indians; one of the men came in with a broken arm, but he still clung to the lines. During the four days fifty wagons or more had gathered, so I was ready to start on my most exciting trip. The train pulled out of Fort Kearney the morning of the 22d of January, 1865. We found the freight road almost swept of forage. I was traveling with a horse and mule train. We had to have hay or grass. The Indians were so dangerous we could not depend on the range for grass, most of the hay was burned, and the ranches destroyed. But the government finally established small military posts about every fifty miles, and at the stations we always found plenty of hay at five and six cents a pound. Sometimes it was fresh hay. When I say "fresh" I mean it was cut in the winter after the grass was all dead. But we were glad to get it, and as for grain, most every train hauled enough for them-

selves. We reached old Julesburg, February 2. The military post was one mile west. The commander at the fort gave us orders to stop. We corralled our wagons about one hundred yards northeast of the post. The Indians had burned Ackley's ranch and Foster's train of seventeen wagons nine miles above Julesburg three days before we arrived, and were still having a good time over the luxuries they had captured, for the train was loaded with groceries. The Ackley ranchmen and Foster and his men, after a hard fight with the Indians, had made their escape to the military post, and let the redskins have their train. Next morning our horses and mules needed hay. There was plenty of hay at Conly & Bulen's ranch, one mile east of Julesburg, which made it two miles from our corral. Conly at that time was in Nebraska City, but Bulen was at the military post. Bulen hitched up two teams to haul the hay to our corral. There were only twenty men who had the sand to go with him after the hay, and I was one of them. I rode one of my fast mules, and she would have to show her wind and strength before we returned. We took ropes with us to bind the hay in bundles; we paid six cents per pound. I bought fifty pounds. I then got on one of the wagons to load the hay. My bundle was the first on the wagon, but before the hay was loaded Bulen got on his horse and made for the post. The men dropped out of the hay corral one by one until there were none left but myself and one other man, who was helping me load. My mule was tied to the corral fence and was charging to go, for she smelled danger. I said to him, "Let's get out of this. Don't you hear guns firing and the red devils yelling on the other side of the military post?" "Do you think we can ever reach the corral in time to save our scalps?" "Well, hardly, so here goes for a two-mile stretch." My mule, Kate was her name, she fairly flew over the ground, landed me in the corral in time for me to get my gun and help fight the Indians to keep them off of Bill and a few more who had fallen behind.

I will now introduce James Demmick. I first fell in with him between Nebraska City and Fort Kearney. He had five

heavy wagons, heavily loaded with groceries, and an extra wagon to haul their grub outfit. He was one of the hay party, a man who was always alive to any kind of business or emergency, and after every man had got into the corral and got his gun, Demmick said, "We are going to fight Indians to the death and to save our teams and wagons. If there are any here who can't stand fire, let them go crawl in their wagons." None crawled in. There were a lot of cedar logs close to the corral. We soon had them piled all around the corral. We soon had it bullet- and arrow-proof. The soldiers numbered about the same as our men, which was about sixty-five. The Indians were Arapahoes, Sioux, and Cheyennes. There were between four and five hundred. The siege commenced about ten o'clock in the morning and lasted till four. Julesburg was completely burned. Conly & Bulen's ranch was burned at the same time. Everything was destroyed except the load of hay that I loaded on one of Bulen's wagons. I got my bunch of hay the next morning. The balance of the load was James Demmick's. The oxen Bulen left hitched to the hay wagon of course the Indians got, so Demmick hauled the hay to our corral.

I will not say any more about the raid because I think there will be men at the meeting who know as much about it as I do, for all I know is what I saw and perhaps I could not see as far as others. The scene was grand and sublime to say the least. The day was clear and bright, no wind to interfere with the view of the whole proceeding. It beat anything I have ever seen.

The next morning myself and a few more men were employed to help put out the fire that was burning a big pile of corn that belonged to the Overland Stage Co. Water was handy and we soon had it under control. We were paid in corn, but it was smoked pretty bad. We were not more than thirty minutes extinguishing the fire, and we were not more than two hours from the corral until we were back and the corn with us. My share brought me nearly $100 besides

enough to feed my team to Denver. I sold about $25 worth as soon as I got it into the corral; sold the balance on the road to Denver. On the 5th we pulled out for Denver. We found Ackley's ranch still smoking and the remains of Foster's wagons, and great piles of fish that had fallen to the ground as the wagons had burned from around them.

We had a good trip from there on to Denver. The Indians had all gone because they had their windup at Julesburg, crossed the river, and went north. Apples were a pretty good price, about $20 per bushel or $1.50 per dozen. I did pretty well on them. Everybody made money except the corn-haulers. It was too heavy to haul so far, for the price paid for it. I started back to the States in due time, gathering up six passengers for Nebraska City. Got $210 for the trip, so I could not help make some money, besides lots of fun. I reached Nebraska City the 12th of March. We had a terrible snowstorm on the trip, back in Colorado, about eighty miles this side of Denver. About two feet of snow fell during the night. Men sleeping on the ground were in a fix. One man said he lost $100 in a snowbank and could not find it. In regard to the freighters' ups and downs, their stock in trade, etc., parties who bought their teams and wagons, at say $58 to $63, then sold out when wagons were from $200 to $250 and mules from $400 to $600 per span, oxen from $150 to $200 per span. Now suppose these parties made a trip in the winter of 1864–65 and got $25 per hundred to haul freight to Denver, then sold their outfit at the top prices—they were the ones who made money. But the party who bought the high priced outfits were completely swamped, because the fall in the price of teams and wagons began in '65, and down went freighting from twenty-five cents to twelve and one-half cents per pound, and dragged wagons and stock down about 40 per cent., and a great many parties were completely ruined. I know of three young men who blew in at least $15,000 in about two years.

The few ranchmen who were not burned out made money, for in the winter of '64–'65 the government established mili-

tary posts about every fifty miles between Fort Kearney and the upper junction, so the ranchmen at these points were in luck. A ranch well stocked and a business-like man to run it could make thousands of dollars. The ranchman at the upper junction told me in November, 1865, that he had made about $25,000 that year. The soldiers blew in most of their pay at the bar. Whisky sold for fifty cents per glass during the Indian war, canned fruit $1.50 per can, and everything in proportion. I went through with two loads of apples amounting to 100 bushels in the fall of '65. I got about $15 per bushel for them, and it was the last trip I made to Denver. It had been one of the most disagreeable trips I ever made. The Indians had broken out again on a small scale, and they would harass the freighters after night, drive off the stock, and now and then kill a herder.

My teams were one heavy wagon with three yoke of oxen and a German driver, my faithful mules with a light wagon and myself to drive them, but I finally got tired traveling so slow, so I left my ox team in care of a man who had a large ox train. I left them between Fort Kearney and Cottonwood. I then traveled with a mule train after I had traveled fifteen or twenty miles to overtake the train, and after I had got to Denver and unloaded a telegram came to the parties who owned the ox train that I had left my team with that the Indians had run off about half of his cattle, so of course I expected that my oxen were gone also. I started back to see about my outfit. I came about one hundred and twenty-five miles and met my driver with the team all right. I then divided the load and went back to Denver. As soon as I could I disposed of the ox outfit and swore I would never own another ox as long as I lived, and I have kept my word.

I have given but a brief sketch of my life on the plains, but as it is near the date of your meeting and I haven't time to write more and get it to you in time, I will close.

OVERLAND FREIGHTING FROM NEBRASKA CITY.

Written for the annual meeting of the Nebraska State Historical Society, January 10, 1900, by Hon. D. P. Rolfe, Nebraska City.

In September, 1860, the writer sold his profitable interest in business located on Fourth street in the city of St. Louis, having decided to make a second flight from New York towards the setting sun, Nebraska City having been the place selected for his resting place.

He purchased a good stock of groceries and outfitting goods, suitable for the wants of the plains trade, and shipped them, by steamboat, for Nebraska City, 714 miles up the Missouri river from St. Louis, paying freight at the rate of $2.25 per hundred pounds.

He landed here on the 15th of October, 1860. Having a store room already prepared, located in Kearney (now a part of Nebraska City), he was soon in shape to supply the wants of the overland business with such supplies as were needed for making the long trip to Denver, Salt Lake, and military posts.

Nebraska City at that time was considered the most favorable point on the Missouri river for the transportation of freight to the far western points. It was the headquarters for the great company of Russell, Majors & Waddell, who freighted nearly all the government supplies destined to military posts from the Missouri river to Salt Lake.

Nearly all other than government freight was carried by freighting firms and individual parties.

THE GREAT FIRE.

On the 12th of May, 1860, previous to my arrival, there occurred a disastrous fire in Nebraska City, destroying nearly

all the business part of the town north from Table creek, the only business firms left being Hawke & Nuckolls, between 3d and 4th on Main street, and Robert Heffley, on the corner of 9th and Main. During the years of 1860 and '61 the greater part of the business of the city was done in Kearney, between North Table creek and the levee, but after that time, as the city rebuilt its burned district, the business gradually moved back to its old quarters, and then extended farther west.

The business of the "wild and woolly" little town (called city) on the extreme borders of civilization depended for its support almost entirely upon the transportation of freight westward.

It was then considered the only business that would build up our town and add value to its near vicinity, as it was the general opinion that the country a few miles west from the Missouri river border was valueless for agricultural purposes. With that idea nearly every business man was ready to do all in his power to advance the interests of Nebraska City as a freighting point.

THE OLD CALIFORNIA TRAIL.

Previous to the year of 1861 all western freight followed the old California trail, running northwest from Nebraska City, striking the Platte river thirty miles from its mouth, then following up the Platte, running north, making a big bend around what is now the counties of Saunders, Butler, and Polk. A few of the business men of Nebraska City decided it would advance the business of our city if the old route could be shortened between Nebraska City and Fort Kearney. With that object in view, they met and agreed that, if possible, the route should be shortened. William E. Hill was chosen as the one who should go over the country and locate the route on as nearly a direct east and west line as possible from Nebraska City to Fort Kearney. An outfit was made ready, and Mr. Hill started on his exploring expedition. Upon his return he reported that a good route had

been found running nearly due west to the Blue, crossing Salt creek near Saltillo, a point about eight miles south of Lincoln; from there running a little north of west to the Blue river, crossing that stream near the mouth of the West Blue, and running on the high grounds on the north side through the southern part of what is now Seward, York, Hamilton, and Hall counties, striking the Platte river forty miles east from Fort Kearney, making a saving in distance of forty miles over the old trail, and a shortening of time for ox trains of over two days. After giving the report due consideration it was decided the road should be opened, each one present pledging himself to stand a just proportion of the cost.

THE ROAD OPENED.

The new route was opened by building a strong, substantial bridge over Salt creek and Blue river, and ploughing a furrow the whole distance from Salt creek to the Platte river, that the first ones over the route might follow, a route free from sand, over which a team could haul its load the whole distance without help.

The route soon became the favorite, the old trail being abandoned by all starting from Nebraska City.

WAGONS USED.

The freight wagons used were the Murphy and Espenshied, made in St. Louis, and the Studebaker, made at South Bend, Ind. These wagons were constructed especially for the plains transportation business; made of the best timber, wide-tracked, strong and tight, high double box, and heavy tired, and covered with heavy canvas over the bows. More of the Murphy make were used than either the Studebaker or Espenshied, though many claimed the Studebaker the easiest running.

Seven thousand pounds was the load drawn by five yoke of good cattle; six yoke if cattle were light. A good team con-

sisted of one yoke of heavy, well-broken cattle for wheelers, a good second best came next; two pair in the swing could be made up from partly broken cattle, with a good pair of leaders. The Texas steer made, when broken, the best leaders, holding his head high, with his long horns and soft, wild eyes, like those of a deer, quick on his feet, quarters light and tapering, limbs clean cut, could run like a horse and quite as fast when alarmed.

THE TRAIN.

A full train consisted of twenty-six wagons; twenty-five freight and one mess, in charge of a wagonmaster and assistant, who generally used mules for their riding; then there were with every train three or four plains ponies for herding and extra riding. Sixteen to eighteen miles a day was made in two drives, one from early morning to about 11:00 o'clock A.M., and the second from about 1:00 o'clock to 6 o'clock P.M. Sometimes the drives would vary in making water and grass.

In making camp at the order of the wagonmaster, the lead team would circle to the right, the team following to the left, advancing until they met; then the next two in the same order, bringing the fore wheel close up to the hind wheel of the wagon ahead, the balance of the train in the same order, making a semi-circular corral with thirteen wagons on each wing, nearly closed at front, with an opening at rear of about twenty feet. The cattle were then turned loose, with the yokes on the ground where they stood. A mounted herder takes charge of the cattle, watering first and then to grass. The drivers, each one with a heavy pistol at his hip and gun, in charge of wagonmaster, divided in mess of six to eight; two with sacks start out for chips, another for water, another digs the fire trench, all do their part until the meal of bread, bacon, and coffee is ready to be served out, and each one provided with a tin plate, quart cup, knife, fork, and spoon. If camp is for the night, after supper preparations are made

for an early breakfast; then would come the time for a good smoke, song, and story; then rolling up in their blankets to rest under the wagons until "Roll out! Roll out!" is called out at daybreak by the night herder. After an early breakfast the cattle are driven in the corral and at the command "Yoke up!" every driver starts in among the cattle with yoke on his left shoulder, ox-bow in his right hand, and key in his mouth, looking for his off-wheeler. When found, the yoke is fastened to him with one end resting on the ground until the near one, his mate, is found. When yoked together they are taken to the wagon and hitched in their place; then come the others in their order, only a short time being required until ready for the order from the wagonmaster—"Pull out!" Then the bull-whacker is in his glory, with his whip, the lash of which is twenty feet in length, large and heavy, tapering to a small point and tipped with a buckskin popper, hung to a handle eighteen inches in length, filling both hands in its grasp but small at the end; four or five swings over and around the head the lash is shot straight out with the report of a gun. With twenty-six of these whips swinging at the same time, the reports sound like the fire of a picket line of soldiers. A steer was seldom struck with these whips, unless a deadhead. When hit with full force blood would surely follow.

NIGHT CAMP.

At the camp for the night the cattle were allowed to graze at will until well filled and inclined to lie down. Then the herder rides gently around them, driving them to a center and bunching them close as possible without crowding, riding slowly and quietly around them during the night, gently whistling and singing if the herd seemed restless, always guarding against a stampede which sometimes happened. In every herd there are leaders, and when a stampede from any cause occurs, the whole herd spring to their feet at the same instant, the leaders dashing off with the whole herd follow-

ing. Then comes the times for the herder to show his nerve and courage, when he knows that a gopher hole, a broken saddle girth, or a fall meant sudden death in his effort to reach the front at one side of the leaders, and with yells and pistol shots turn the front and get them running in a circle until their fright subsided. The herder generally succeeded, but not always. The writer remembers of one herd that stampeded during a bad storm, one-half being lost and a few found, days after, forty miles from the camp from which they started.

INCIDENTS OF THE ROUTE.

In the early spring of 1862 I purchased an outfit—any number of teams and wagons less than a full train was called an outfit—loaded the wagons with my own merchandise for the Denver market. I was one of the first to pull out from Nebraska City that season.

On the route, a few miles west from Fort Kearney, we struck a vast herd of buffalo that was making for the Platte for water. They were in such numbers that we made camp, thinking it not best to drive through them. These wild cattle were a part of the yearly drift from North to South down the Platte, crossing the country from that point to the Republican river, it being the nearest point between the two rivers.

The next day, while in camp, a small war party of Sioux Indians, in their war paint, stopped with us for dinner. They were on their way to join a large force for a fight with the Pawnees. The Sioux, from their earliest history, were enemies of the Pawnees on the south and to the Utes on the west. On our return trip we met a few of this same party on foot, on their return from their conflict, having lost several of their warriors and a number of ponies, but they proudly showed two Pawnee scalps they had taken.

We made Denver in twenty-eight days, from Nebraska City, which was quick time for cattle. At that time Denver

was a little city of tents and cheaply built wood buildings on the business street. I think there was but one brick building, that a warehouse belonging to the freighting firm of Russell, Majors & Waddell. I closed out my goods, realizing a good profit. The third day after my arrival, having received something over $10,000 in Cherry Creek gold dust, soldered up in two-pound oyster cans, rolled up in my blankets and strapped securely at the back of my saddle, I mounted my mule and started to overtake my teams. The second day out, when about fifty miles east from Denver, about two o'clock on a warm afternoon, I was jogging along on my mule, half asleep, when I was suddenly aroused by "Hi-yi-a-Hi-yi-a-He-ye-a-a Hi-yi-Ho." Looking up I saw a short distance away, coming over a swell on the trail, a war party of Indians mounted on fine plains ponies, armed with lance, bows, and arrows. They came on a charge, with lance at rest and with a quivering feather at the head of every lance. I was quickly surrounded by one hundred and fifty greased and painted wild beings, with not a thing on or about them that was not of native manufacture, adorned with many ornaments made from hammered silver. On seeing that wild charge approaching I was startled, but the Indians at that time were friendly, and I thought they meant me no harm. They were a war party of Ogallala Sioux on a raid against their old-time enemy, the Utes. During the interview the chief explained in sign language how they intended surprising the Utes by creeping on them like snakes, and getting many scalps. Hanging to the horn of my saddle was a fine Colt's navy revolver. The chief wished to see it. I drew it from the case and passed it to him. After giving it a close examination he passed it to one near him, and from him it went the circle of all on the inside. Many guttural sounds and motions were made while looking it over. Then it came back from hand to hand to the chief who gave it to me with signs of thanks. That same revolver was afterward captured by the Indians, and the man who carried it was killed.

After entertaining me for half an hour I liberally treated those near with tobacco, who received it with many "How Hows." Then the chief gave a command by a flash from a small round mirror, set in a frame with handle and hung to the wrist. In an instant they wheeled into line, starting off on a lope, striking into their wild war-song: "Ho-a-Hi-yi-a-He-ye-a-Hi-yi-Ho." I sat on my mule and gazed after them until they passed from my sight. The history of this same war party is, the Utes learned of their approach, ambushed them, fought and defeated them with great loss. It is said this was the last war party sent against the Utes by the Sioux, after having been long-time enemies.

TRANSPORTATION RATES.

The freighting business increased largely in volume every year from 1862 to 1866. According to a census taken for the year 1865, there were employed in the movement of goods, grain, and other stores, westward from Nebraska City: 7,365 wagons, 7,231 mules, 50,712 oxen, 8,385 men. Transporting 31,445,428 pounds of freight.

The customary rate of cattle freight to any point where two trips could be made during the season was $1 per hundred pounds for each 100 miles; sometimes a little more or less, owing to circumstances. Winter rates to Denver were from ten to twelve cents per pound. Salt Lake freight was hauled almost entirely with cattle, as cattle, wagons, and the whole paraphernalia of the train had to be sold to the Mormons and California cattle dealers on arrival at destination.

The established rate to Salt Lake was twenty-five cents per pound, although Russell, Majors & Waddell hauled the government freight in large quantities at about twenty cents per pound. Rates to other points were based upon the prices paid to Denver and Salt Lake.

RATIONS.

The rations for men employed were based upon the government rations, but a little more liberal.

GOV. RATIONS PER MAN PER DAY.	PLAINS RATIONS.
1¼ lb. flour.	2 lb. flour.
¾ to 1 lb. bacon.	1½ lb. bacon.
1¼ oz. coffee.	1¼ oz. coffee.
2½ oz. sugar.	2½ oz. sugar.

To give a better idea of the rations furnished for train men, and the cost of the same, I copy a list of supplies furnished in June, 1865, by our firm—Rolfe & Terry—to Gill & Co. for a trip to Denver, with twenty-six wagons and twenty-eight men, for sixty days:

RATIONS FOR 28 MEN FOR 60 DAYS.

DESCRIPTION.	@	AMOUNT.
30 sacks flour, 98 lbs. each	$5 00	$150 00
2,500 lbs. bacon, 20 sa	18	450 00
1 sa. 50c coffee, 125 lbs	38	48 00
2 sa. $1 sugar, 250 lbs	18	46 00
1 sa. 75c beans, 2 bu	3 50	7 75
1 sa. dried apples, 103 lbs	15	15 45
10 lbs. soda	20	2 00
6 boxes matches	12½	75
1 lb. candles	....	35
4 boxes ground pepper	25	1 00
24 qt. cans wagon grease	50	12 00
1 lb. ground mustard	....	75
2 lbs. ox nails	75	1 50
1 ox shoeing hammer	....	1 25
1 ox shoeing rasp	....	2 00
1 ox shoeing pincers	....	2 50
1 sack 50c salt, 100 lbs	3	3 50
20 lbs. soap	15	3 00
Sheet and lariat rope, 31½ lbs	28	8 82
3 10 gal. water kegs	2 50	7 50
1 keg $1.50 vinegar, 5 gal	60	4 50
Total		$768 62

At the opening of the freighting season of 1865 the monthly

wages paid drivers were $70 to $75. The wagonmaster received $150 and his assistant $85 per month. At that time the price of labor and commodities was based, to a certain extent, upon the premium on gold coin. The gold quotations for the month of May of the above year were as follows: May 3, 1.41; May 15, 1.30; May 23, 1.32; May 24, 1.35; May 26, 1.36.

For the better understanding of prices, and the general class of goods that was at that time considered necessary for the preservation of the health, spirits, and vigor of the body, for the men who were the pioneers of our present civilization, and to give some idea of the volume of trade at Nebraska City at that time, I copy an invoice sold by our firm, Rolfe & Terry, to the sutler at Fort Russell, May 21, 1865, as follows:

PRICES OF STAPLE ARTICLES IN PIONEER DAYS.

DESCRIPTION.	@	AMOUNT.
1 barrel whisky, Anchor brand, 42½ gallons	$ 3 00	$ 127 50
2 one-half barrels whisky, Cabinet brand, 23-23, 46 gal.	3 50	161 00
50 cases whisky, Anchor brand	9 50	475 00
5 cases Red Jacket bitters	10 00	50 00
5 cases Cabinet bitters	11 00	55 00
5 cases Drakes bitters	11 50	57 50
3 cases Charles gin	12 00	36 00
5 cases port wine	10 00	50 00
3 cases peach brandy	12 00	36 00
5 cases blackberry brandy	9 75	48 75
1 case honey brandy	.....	10 00
2 baskets champagne wine, pints	22 00	44 00
2 baskets champagne wine, quarts	20 00	40 00
5,000 La Victoria cigars	30 00	150 00
5,000 Reverie cigars	47 50	237 50
3,000 El Conteste Londra cigars	70 00	210 00
1 6-10 M Opera cigars	85 00	136 00
1,000 El Comperio cigars	.....	95 00
3-10 M El Sol cigars	25 00	7 50
1 half chest Impl. tea, No. 212, 76-14, 62 lbs.	2 25	89 90
30 cases 2-lb. oysters	9 50	285 00
30 cases 2-lb. peaches	9 00	270 00
10 cases 2-lb. pineapples	11 50	115 00
4 cases 3-lb. chicken and turkey	17 00	68 00

DESCRIPTION.	@	AMOUNT
8 cases 2-lb. strawberries	$11 50	$ 92 00
20 cases 2-lb. tomatoes	7 25	145 00
10 cases 2-lb. corn	10 00	100 00
10 cases 2-lb. peas	10 00	100 00
2 cases 2-lb. salmon, 8 doz.	6 00	48 00
2 cases 2-lb. lobsters, 4 doz.	3 50	14 00
5 cases 2-lb. blackberries	10 00	50 00
2 cases 2-lb. cherries	11 50	23 00
1 case 2-lb. sauer kraut	.....	10 00
1 case 2-lb. chow chow	.....	10 50
2 cases 2-lb. peach marmalade, 4 doz.	9 00	36 00
8 cases 2-lb. brandy peaches	9 50	76 00
5 cases 3d peaches	11 00	55 00
1 keg 40c Indian brand chewing tobacco, 33 lbs.	1 35	44 95
1 doz. Gold Thread, 1-lb. cans chewing tobacco	.....	18 00
1 doz. Gold Thread, ½-lb. cans chewing tobacco	.....	10 00
2 sacks 60c. filberts, 163 lbs.	25	41 95
3 sacks 60c. almonds, 175 lbs.	45	80 55
2 sacks 60c. Brazil nuts, 180 lbs.	25	46 20
2 sacks 60c. peanuts, 117 lbs.	20	24 60
2 boxes axes	18 50	37 00
5 cases ½ gallon pickles	9 25	46 25
2 cases condensed milk, 8 doz.	4 30	34 40
1 case condensed coffee, 4 doz.	9 25	37 00
1 case Game Cock fine tobacco, 100 lbs.	75	75 00
2 cases powder, 1 lb.	27 00	54 00
2 cases powder, ½ lbs.	16 50	33 00
6 M G D gun caps	50	3 00
10 M Ely E B caps	1 50	15 00
2 bundles lead, 50 lbs.	13	6 50
1 gross Steamboat playing cards, No. 1	.....	32 50
1 gross Steamboat playing cards, No. 2	.....	30 00
1 case Club sauce, ½ pts.	4 37½	8 75
1 case Cumberland sauce, 1 pt.	7 00	14 00
2 cases pepper sauce	2 75	5 50
2 cases tomato catsup	2 75	5 50
2 boxes tacks, 6, 8, 10 lb., 100 papers	8	8 00
6 glass decanters	1 50	9 00
1 doz. bar jiggers	.....	2 25
1 doz. bar glasses	.....	2 00
1 doz. ale glasses	.....	2 00
1 doz. sweet oil	.....	2 75
1 box castor oil, 2 doz.	2 00	4 00
2 boxes ground mustard, 4 doz.	1 10	4 40
1 box extract of lemon	.....	3 00
1 box ground pepper, 2 doz.	1 40	2 80

DESCRIPTION.	@	AMOUNT
1 box Cox's ink 3 doz.	$ 1 00	$ 3 00
2 boxes assorted fancy candy, 40-40, 80 lbs.	35	28 00
4 boxes stick candy	5 00	20 00
2 gunnies dairy salt	6 00	12 00
2 coils ½ inch rope, 170 lbs.	28	46 70
1 coil ¼ inch rope, 28 lbs.	28	7 84
6 boxes herring	1 10	6 60
1 bl. 50c. dried blackberries, 145-19, 126 lbs.	48	60 94
1 sack 60c. dried whortle berries, 95 lbs.	40	38 60
2 sacks 60c. dried peaches, 190 lbs.	40	77 20
2 sacks 50c. dried apples, 460 lbs.	18	83 80
1 sack 60c. Yante currants, 128 lbs.	28	36 44
4 boxes 30c. Palm soap, 240 lbs.	12	30 00
4 boxes 30c. German soap, 240 lbs.	13	32 40
2 boxes 30c. Star candles, 80 lbs.	26	21 40
1 barrel Sugar House syrup, 44 gallons	1 25	55 00
1 barrel Golden syrup, 41 gallons	1 70	69 70
1 case sardines, ½'s, 100 lbs.	48	48 00
6 boxes layer raisins	6 50	39 00
7 cheese, select, net 176 lbs.	30	52 80
1 butt Gold Leaf tobacco, 63 lbs.	1 12½	70 88
2 butts Brady's tobacco, 68-71, 139 lbs.	90	118 15
3 butts Diadem tobacco, 43-43-45, 131 lbs.	1 12½	147 38
2 boxes Natural Leaf tobacco, 26-25, 51 lbs.	1 60	81 60
2 caddies Peerless tobacco, 19-19, 38 lbs.	85	32 30
2 caddies Grape Juice tobacco, 19-20, 39 lbs.	85	33 15
2 cans ½ gallon axle grease	7 25	14 50
1 can 1 gallon axle grease	.....	7 25
4 boxes soda, 60 lbs. each, 240 lbs.	14	33 60
1 case preserves	.....	12 00
1 bundle large wrapping paper	.....	2 50
2 bundles medium wrapping paper	2 00	4 00
1 bundle small wrapping paper	.....	1 50
1 bale cotton twine, 11¾ lbs	85	9 99
4 10-lb. cans cream tartar, 40 lbs	35	14 00
6 cases sugar lemon	6 75	40 50
3 drums figs, 23 lbs	30	6 90
1 doz. demijohns	.....	10 20
6 gallons Calhoun whisky	5 00	30 00
3 boxes maple sugar 24-24-25, 73 lbs.	26½	19 34
1 sack canvassed dried beef, 100 lbs	26½	26 50
2 doz. brooms	3 50	7 00
1 gross P. & M. yeast powders	.....	45 00
2 cases assorted jellies, 4 doz	4 00	16 00
1 gallon anchor whisky	.....	3 00
1 gallon rum	.....	3 50
1 gallon brandy	.....	3 50

DESCRIPTION.	@	AMOUNT
1 gallon sherry wine	.....	$ 3 50
1 gallon port wine	.....	3 75
1 gallon gin	.....	3 50
2 cases lemon syrup	$ 5 00	10 00
2 doz. straight stem pipes	1 50	3 00
3 doz. rosewood pipes	2 25	6 75
1 doz. rosewood pipes	.....	4 00
1 doz. briar pipes	.....	5 00
1 doz. earthen pipes	.....	5 50
½ doz. Anti-nicotianin pipes	13 00	6 50
2 doz. cherry stems	2 00	4 00
1 doz. cherry stems	.....	2 50
1 box No. 1 8x10 glass	.....	7 00
5 boxes 35c. crackers, 241-59, 182 lbs	9	18 13
5 boxes 35c. crackers, 239-58, 181 lbs	9	18 04
4 sacks Rio coffee, 162, 163, 163, 164, 656 lbs	31	203 36
2 sacks 60c. A sugar, 304 lbs	17½	54 40
3 cases brandy peaches	9 50	28 50
15 sacks 3X flour	6 50	97 50
1,600 lbs. side meat	20	320 00
5 C. S. scythes	85	4 25
5 C. S. scythe sneaths	80	4 00
17 gunnies	30	5 10
63 lbs. cable chain	14	8 82
4 gallons Sugar H molasses	1 25	5 00
Sundries for camp	.....	53 70
Total		$6,808 36

The freighting period gave good opportunities to the few farmers at that time on the Iowa and Nebraska side of the Missouri River, and to many small traders with a single team of mules and wagon, to load with corn, oats, poultry, butter, eggs, and even dogs and cats for the western trade, generally realizing good profits on the venture.

The writer in 1860 owned a white thoroughbred bulldog, one of the Dewey kind of fighters, that, after passing from his possession, got across the plains and exchanged owners at one time in Denver for five ounces of gold dust.

UNION PACIFIC RAILROAD.

In 1867 the Union Pacific Railroad was running to Grand Island. Then nearly all western freight went to that point

for the saving in wagon transportation, cutting our city off from the business that had given it prosperity for a number of years. The importance of railroads was then realized. Otoe County voted bonds to secure an eastern connection, but some of our business men considered a western connection of more importance, and after a number of meetings of the most prominent business men it was decided that for the future prosperity of our city and county, a railroad westward, to connect with the Union Pacific Railroad at or near Grand Island, running on a line near the one taken for the freighting route, was of vital importance. With that object in view, on the 12th of December, 1867, the Midland Pacific Railway Company was organized, composed of business men of our city as follows: James Sweet, F. A. White, E. S. Hawley, William Fulton, H. S. Calhoun, John B. Bennett, Tolbert Ashton, Nathan Simpson, and R. M. Rolfe. Frank A. White was chosen president and R. M. Rolfe secretary. Otoe county, at a special election held with only sixty-seven against, voted $150,000 in bonds to be delivered to the company upon a personal bond for $200,000 being given by the company for the faithful expenditure of the proceeds of the bonds in constructing and equipping the road. A corps of engineers was engaged and the surveying commenced in March, 1868. A line was surveyed via Lincoln to Grand Island, right of way procured through Otoe County, and contracts let for the grading of the first ten miles. From the commencement to its completion to Lincoln the work never stopped.

The building of the Midland Pacific Railway doubled the value of lands in Otoe County, built up prosperous towns along its route, bringing to its connection, at our city, the Burlington from Red Oak, and the iron and steel railroad and wagon bridge across the Missouri River.

At the present time all our heavy manufacturing companies' plants are located on its line, shipping eastward every year more pounds of greater value in goods and merchan-

dise, manufactured from the products of our formerly unappreciated soil, than were ever freighted westward in one year during our most prosperous freighting times.

FROM MERIDIAN TO FORT KEARNEY.

Written by A. J. Croft, Davenport, Neb., for the annual meeting of the Nebraska State Historical Society, January 10, 1900.

In 1870 the old overland road known as the Salt Lake trail was still in use by the early settlers as a wagon road, but, owing to the advent of railroads at about this time, it was no longer in use by freighters. I speak of that section of the trail lying between Meridian, which is situated in the extreme eastern border of Thayer County, or perhaps, more strictly speaking, on the line between Thayer and Jefferson counties, and Fort Kearney. This section was a part of the trail from St. Joseph, Mo., and Nebraska City, Neb., to Fort Kearney, and thence west to Salt Lake City, Utah. The Leavenworth and St. Joseph branch united with the Nebraska City branch a few miles from Meridian, and from this junction there was but one trail until Fort Kearney was reached.

Meridian was a general stopping place for freighters, and was situated on the Little Blue about two miles from the present village of Alexandria. Many of the old log buildings still stand on the site, and its neglected little cemetery on the hill just above is the resting place of many unfortunate victims of gaming table misunderstandings.

From here the trail consists of several parallel tracks, making a road from four to ten rods wide and could be seen for miles as it wound its way along the Little Blue River. The next stop was at Kiowa, where there was a stockade, etc. This was the last stop in Thayer County. The next station was Spring Ranch, in Clay County, then King's Ranch, or known later as Kingston, in Adams County, nearly south of the city of Hastings. From King's Ranch the trail con-

tinued westward for but a short distance and then turned to nearly a northwesterly direction across the divide to the fort (Kearney).

King's Ranch was the last stopping place on the Blue, and no ranches intervened between it and Fort Kearney.

In 1870–71 this overland route showed signs of recent service, and pieces of broken wagons, ox bows, etc., were found at frequent intervals. Mr. James Lemon, who freighted for many years along this route, tells many thrilling experiences with hostile Indians.

Very little remains at present of the great Salt Lake trail but a memory. It has been broken up by the farmer's plow, and instead of bearing the freighter's heavy laden wagon it bears the heavy laden stalks of grain.

FREIGHTING REMINISCENCES.

Written for the annual meeting of the Nebraska State Historical Society, January 10, 1900, by Porter Maddox, Box Elder, Neb.

As one of the few "old teamsters" in the overland freighting business, when the "Wo Haw" was the principal engine for moving supplies from the Missouri River to the Rockies and over them, and the hair of the white man was in great demand among the Sioux and several other tribes of Red Men, I of course feel quite an interest in that part of the history of our fair state. If it were possible, I should much enjoy being with the Old Boys at your next meeting. It seems but a short time since I made my first trip from Nebraska City, in 1865, for Denver, which was but a hamlet compared with her present grandeur. Yet even then everything was rush and bustle. Methinks I can see the rusty, lousy, dirt-begrimed bull-whacker with from ten to fourteen feet of whiplash attached to eighteen or twenty inches of polished hickory, and hear them as we passed the eastbound empties, when asked where we loaded, answer, "Omaha-ha-ha," and if asked where we were headed for, answer, "Idaho-ho-ho." The wages we got for our work were $60 per month for driving six to eight yoke of cattle, while the night herder got from $65 to $70 and board. This consisted chiefly of sow-belly, beans, sugar, coffee, and tough bread or flap-jacks. Yet we were a jolly set of fellows, especially when we had the right kind of boss, but it was not always sunshine and pleasure. We were often called upon to witness suffering and death. While I was on the trail, I visited Denver, Laramie, the Powder River via the old North Platte Bridge trail, Salt Lake, Ogden, Ft. Union, and Santa Fe, all of which trails

will no doubt be fully described, even the old steam-wagon road from Nebraska City via Salt Creek, Read's Ranch, Gum Springs, Doba Town, Cottonwood Springs, Jack Morrow's, Fremont's Springs, O'Fallon's Bluffs, and all the rest, better than I am able to describe them. But if any of the old boys who were with me should be at the meeting, let them remember that I still think of them kindly and hope at some time to meet them one and all, and then we will try some of our old songs. Can any of the boys furnish me the words of "Root Hog, or Die," as sung by the bull-whackers?

MARY ELIZABETH FURNAS.

Mary Elizabeth Furnas was born in Bellbrook, Green County, Ohio, December 18, 1826. Her maiden name was McComas. Her father, Daniel McComas, and mother, whose maiden name was Mitchell, were born and married in Baltimore, Md. They came west to Green County, Ohio, and from thence to Cincinnati, Ohio, where the daughter, Mary, became a teacher in the public schools of that city until her marriage. Robt. W. Furnas and Mary E. McComas were married at Cincinnati, October 29, 1845. Eight children were born to the parents; six sons and two daughters, the three youngest in Nebraska. Came to Brownville, Neb., April 6, 1856. The couple celebrated their fiftieth marriage anniversary at Brownville, Neb., October 29, 1895. Mrs. Furnas died at Brownville, Neb., April 1, 1897. Her history since in Nebraska was substantially that of her husband, to whom she was ever a constant helpmate in his efforts to develop the new West. She early conceived the thought to introduce and develop the silk industry in Nebraska, in which she was successful. Specimens of her work can be seen at the State Historical Rooms, Lincoln, Neb.

Of the ancestry of Mrs. Furnas little is of obtainable record further than to Baltimore, Md., where the families of McComas were among the earlier and prominent residents. They were originally from England.

In religion Mrs. Furnas was a Methodist until she came to Nebraska. Since in Nebraska, a Presbyterian, and to her death.

FREIGHTING—DENVER AND BLACK HILLS.

The following paper was read by Mr. H. T. Clarke, of Omaha, before the annual meeting of the Nebraska State Historical Society, January 9, 1901.

It is with pleasure that I respond to the request for some word as to the "Early Freighting," as I realize that few are left to tell the story of those times.

But little freighting was done north of the Platte River until the opening of the Pike's Peak gold excitement, about 1859. The route from Bellevue, where we outfitted and freighted from, and from Omaha, was westerly, crossing the Elkhorn River by ferry, or ford, near Elkhorn City, nearly west from Omaha, entering the Elkhorn and Platte valleys at that point, and thence up the Platte valley. Some crossed the Platte to the south side at Shinn's Ferry, owned by Elder Shinn, a few miles southwest of the present town of Schuyler, Colfax County; others continuing up the Platte on the north side to a point near old Fort Kearney and Dobytown, crossing by fording the river to the south side of the Platte there, and continuing on the south side of the Platte and of the South Platte to Pike's Peak, or Cherry Creek, now the beautiful city of Denver.

Many of the Californians and Mormons going to Salt Lake City and California kept on the north side of the Platte and up the north fork by old land marks, Court House and Chimney rocks (the former eight miles southeast and the latter seven miles west of Camp Clark), and on west.

The roads were usually very fine and the grass good; were it not so, it would have been hard to supply the mining population.

A train usually consisted of from twenty-two to twenty-

six teams, five yoke of cattle to a team, and two wagons loaded with 4,000 pounds on the front and 3,000 pounds on the trailer, or rear wagon, which was attached to the leading wagon with a short pole. There were also two-horse cook wagons. Usually a wagon boss, or manager, and assistant, had charge, and whose pay varied from $75 to $150 a month, and teamsters, at from $35 to $60 per month. Men usually slept under wagons; sometimes trains carried and used tents, and at times the men crawled under wagon covers.

In going into camp the teams would form a corral, swinging to the right and left until they came together, and following in this way, the first wheels of the rear wagon coming close to the rear wheels of the first wagon, and when all were in forming a complete corral, oval in shape, leaving only room for the cattle to pass out. The opening was closed by chains when the cattle were in, and the wheels of the wagons were all chained together, so that in yoking wild cattle the corral would be able to hold them, and in case of attack by Indians, we would be able to protect ourselves behind the wagons. The cattle were then unyoked and driven out to water and feed, we keeping two or more men with them so that they would not stray or stampede. When ready to bring in the cattle to yoke, they were all driven within the corral, each man getting his own teams.

The usual drive was fifteen to eighteen miles a day, one team trailing on after the others. Many of the wagon bosses and men could take the time of night by the position of the big dipper to the north star, when the sky was clear. Usually we would start the teams in the spring as soon as grass was up, so as to make good feed, and, with active work, make two trips to Denver (600 miles) and return in a season. If spring and grass were backward, at times we had to drive back late in the fall to reach the Missouri River, or would "grass" cattle in the sandhills of western Nebraska, where the buffalo grass was plenty, until spring.

FROM THE MUDDY TO DENVER.

The prices paid for ox team freight were usually from four to seven cents per pound from the Missouri River to Denver. Oxen would have no feed but grass, and men were in camp from spring until the season was through. The cooking was usually done on sheet iron or cast iron stoves, or pots and bakeovens in absence of stoves. The bill of fare usually was of dry salt side pork, bacon, corn meal, flour, beans, dried apples, coffee, tea, and sugar, using "buffalo chips" for fuel.

When in camp in dry weather the men would be looking to the setting of tires of the wagons, and if any were loose, not having machinery to reset or upset, or shorten the tire, the wagon felloe would be increased with one or two thicknesses of heavy cotton duck tacked on. Then this would be wet and the wagon tire placed on the ground surrounded by "buffalo chips" and set on fire. When red-hot and fully expanded it would be lifted on to the wheel, and as soon as in place, water poured on so as not to burn the duck or felloe, and it would shrink into place. It was seldom that a tire had to be set a second time.

On the dry and sandy roads the oxen often became footsore and lame and had to be shod, and before starting we would provide ox shoes to be used if needed. They were made in pairs for each foot and required but a little cold hammering to fit the foot.

In the summer of 1863, the Platte River having so nearly dried up as to make it difficult to secure water for the cattle, and having a large train of some twenty-two teams, loaded with valuable merchandise of all kinds, and being anxious about the train, I took the stage and overhauled it at Fort Kearney and went with it to Denver. With plenty of Indians, and men scarce and hard to secure, I soon became an expert at cooking, setting wagon tires, and shoeing oxen, and, when necessary, driving a team, or doing any other work.

We sank headless barrels in the Platte, by digging out the quicksand, to secure water from an underflow, and usually drove much of the night, when cattle will walk much faster than in the day time, and got our train through to Denver in good time, where we sold our goods at satisfactory prices.

The quick freighting by horses and mules was done the year around, and usually on goods that were in want, such as coffee, sugar, candles, and flour, and other goods where the supply was short. It was usually done in four and six mule, or horse, teams, the freighter carrying his own supply along for the trip, storing corn as he went west, at ranches or stations where he could secure hay and stabling, to use on his return. Some made money out of this, receiving eight to twelve and fifteen cents per pound, as also did many farmers and small freighters, with a single team loaded with butter, eggs, poultry, dressed hogs, sausages, lard, etc.

We used to drive six days in a week, and remain in camp all day Sunday. I think that most of the freighters except Alex Majors, Waddell, and Russell drove seven days, but I think we made as good time as those who did not lay up for Sundays.

PREPARE FOR THE REDS.

The fall of 1865 the Indians were very bad along the west Platte Valley, and the government had stationed troops along the valley to protect the people, stages, mail, and freighters passing, the officers insisting that they should keep together as much as possible. The following is the order issued to W. W. Watson, in charge of our outfit at Fort Kearney, by Captain E. B. Murphy, formerly of Plattsmouth, and of later years one of the active, enterprising citizens of Arapahoe, Furnas county, Nebraska, who died about a year ago:

"HEADQUARTERS POST, FORT KEARNEY, N. T.,
October 16, 1865.

"Special Order No. 256—In compliance with special order No. 41, C. S., headquarters department of the Missouri, the

trains now at this post ready to start west are organized into a company for mutual protection and the safety of the train. Mr. W. W. Watson is hereby appointed conductor and will be held responsible for the holding of the organization and train together. In no case will he permit the train nor men under his charge to straggle along the road. He will camp as near military posts as possible, and will report any insubordination among the men belonging to the train to the commanding officer at the post nearest the place where such insubordination shall have arisen. By order.

"E. B. MURPHY,
"Captain Seventh Iowa Cavalry, Commanding Post.
"H. P. LELAND,
"Lieutenant and Post Adjutant."

On the morning of November 3, 1865, the commander of Alkali Station ordered the outfit to drive double file, as Indians were bad. This made it very slow work, and we could not make the progress as when driving single file. On the night of the same date,near Sand Hill Station, on the south side of the Platte, shortly after our teams had gone into camp, and the cattle had been turned out, the Indians, and I think probably some bad white men, attacked our men in charge of the cattle and ran off eighty-seven oxen and some ponies. One of our men, Richard Evans, was shot. The cattle were driven across the river to the east and north of our camp, but our goods were not disturbed. The following is a memorandum of same:

"OMAHA, NEB., February 25, 1891.

"United States Government.—To Clarke & Brothers, Dr.: For property stolen from said Clarke & Brothers, by the Sioux Indians, November 3, 1865, at Sand Hill station, Nebraska Territory, namely:

Eighty-five oxen	$9,350 00
One mule	150 00
One saddle	20 00

One revolver	$ 25 00
One spur	2 00
Total value of property stolen	$9,547 00

"Add interest from November 3, 1865, to date of payment."

Mr. A. M. Clarke was with the outfit, and being unable to find and recover the stock, went the next day and bought of Bauvoa, at Bauvoa station, cattle to move all but three wagons, and I presume some parties may have, some few days or weeks later, been able to buy some of our stock of the same or other ranchmen, they having been traded them for a small price, or received in payment of old accounts of whisky.

The following year, at an Indian council, at Fort Laramie, the Sioux chiefs acknowledged robbing us and were willing to pay for the same. The United States Superintendent of Indians, Judge Cooley, said the claim was good, but he had no money belonging to the Indians with which to pay it. This is a copy of the treaty:

"In the matter of the claim of Clarke & Co. against the government of the United States of America for the loss of stock taken by the Sioux Indians at Sand Hill Station in the Territory of Nebraska.

"We, the undersigned chiefs and head men of the Sioux nations, acting for and in behalf of said tribe, and in open council, acknowledge and admit that on or about the 3d day of November, 1865, at Sand Hill Station, in the Territory of Nebraska, a band of the said Sioux took and drove away eighty-five head of oxen and killed one mule, the property of Clarke & Co., and the said stock or any part thereof has never been returned to the said Clarke & Co., or paid for by the Indians.

"Done at Fort Laramie, D. T., this —— day of ——— A. D. 1866. In the presence of Valet Jaut, United States Indian agent."

To this document the following Indians affixed their signature by making their mark: Spotted Tail, Swift Bear,

Boy Hawk, Hawk Thunder, Tall Thunder, Sharp Nose, White Tail, Big Mouth, The Man that Walks Under the Ground, The Black War Bonnet, Standing Cloud, Blue Horse, Big Head.

These signatures were secured in the presence of Charles E. Bowes and Frank Lehmer, who signed as witnesses, and both of whom are old Omahans.

The United States court of claims officers allowed our bill some years ago, but we did not get our money until July, 1898.

We were quite successful in the selection of goods, in freighting and selling the same, seldom having anything but what paid a good margin. Merchants in the mountains would pay well when they wanted goods, but woe to the man who had to sell when goods were not in demand.

HIGH PRICES IN THOSE DAYS.

Eggs, at times, would sell at $1.50 a dozen. One year we had a large quantity of butter and sold it at $1 a pound, wholesale, in packages of 100 and 120 pounds. Octagon steel and rope were articles that brought good prices when wanted, fifty cents a pound readily, but one-half of that when a good supply was in. Sometimes flour would get scarce and sell at $20 to $30 a sack, and so with coffee, sugar, and candles. Cove oysters, peaches, canned corn, and wax candles were like gold dollars—always staple.

In 1866, in closing out our stock at Denver, we traded to Bartle & Metz, formerly merchants from Bellevue, canned turkey and chicken, spices, etc., valued at $1,300, for 320 acres of land in Sarpy County, and later sold the same for $16,000.

It took a four-horse stage six days and nights to make the trip from Denver to Omaha, and the fare one way was $125. Our food was hot bread, bacon, or side pork, corn bread, dried apples, unpeeled dried peaches, beans, coffee, and sugar.

The stage driver would commence to whoop a mile or

more from town; and by the time we arrived at a station, breakfast, dinner, or supper would be under way, and a team ready to hitch on.

With the competition of the Union Pacific, the freighting on the overland route from points on the Missouri River to Denver and Salt Lake ceased, and the base of supplies was from points on the railroad to army stations and other points north and south of the road. Among those east of the mountains was Sidney, in Nebraska, 416 miles west of Omaha, where Pratt and Farris and other freighters in 1876 were hauling with large cattle, mule, and horse outfits, from Sidney and Fort Sidney to Camps Robinson, Sheridan, and the Black Hills mining centers, such as Custer City, Deadwood, Lead City, and Rapid City, and other points, fording the North Platte some forty miles north of Sidney, near where Camp Clarke is at this time.

HOW CLARKE BUILT HIS BRIDGE.

In the winter of 1875 and '76, Stephens & Wilcox of Omaha and other merchants requested that I should look over the North Platte line to Camp Robinson and Sheridan. They and other Omaha jobbers wanted to make a short line between Sidney and the military stations and the Black Hills gold country, which was then going as far west as Cheyenne, and crossing the Platte at old Fort Laramie, ninety miles west of Camp Clarke, and see if it was practicable to bridge the Platte at that point. I did so, and reported favorably. The bridge would be some 2,000 feet or more long. They then undertook to form a bridge company and put in a bridge, but found Omaha people were not willing to put money in so large an undertaking in the Sioux and Cheyenne Indian country, and had to give it up. Then they came to me and wanted to know if I would put in a toll bridge and accept a bonus. I answered, "Yes," and the amount named was satisfactory. They soon made up the amount, and I placed one of my bridge foremen in the lumber yard of Katers &

Son, Moline, Ill., and Schruker & Miller, Davenport, Ia., to construct the bridge.

The Chicago & Rock Island and the Union Pacific railroads saw the importance of the move and freighted all material free of cost from those points to Sidney—consisting of three large wagon train loads and teamed it from Sidney to the river.

The iron was manufactured at Milwaukee and piles secured in the hills southwest from the bridge site. This bridge was completed in June, 1876, and was one of the strongest and best of the Platte River bridges, the seventh one I built, and is still standing. It was strong enough to carry mining machinery over, on short coupled wagons, drawn by seven to ten yoke of cattle, being, in fact, strong enough to carry a railway train.

This bridge is some nine miles east of Chimney Rock and is seven miles north and west of Court House Rock—old landmarks on the California, Oregon, and Salt Lake trails, which are still to be seen, some on river bottoms and some on bench lands, where the great overland trains went to those western countries in the '50s and '60s.

There were thousands of carts pushed by men, women, and children, and I have often thought as I have crossed the trails from time to time of the suffering of the many unfortunates, and of the many buried on the road.

As soon as this bridge was completed there were many waiting to cross, going north and south.

MADE SIDNEY A GREAT TOWN.

Then came a stampede from the Black Hills, of some 150 people, claiming the mines had played out. Captain Jack McColl of Lexington, Neb. (late candidate for governor), with others came to inquire if they could cross the bridge, or would they have to go east on the north side to the town of North Platte, about 130 miles away, and cross the combined Union Pacific and highway bridges, as they all wished to keep

together, and many of them were broke and had no money. I replied that they could cross, and those that had money could pay and those that had none could pass free.

This looked discouraging, and I thought of the old saying, "a fool and his money soon parted." Fortunately for the writer, there was much gold in the Black Hills and much travel from Sidney to points north over the bridge. With the opening of the bridge and short route between the railroad and Sidney, Deadwood, Custer City, Lead City, Rapid City, and other mining camps, the travel changed from Cheyenne and other points to Sidney, and in a short time Sidney was the great starting point for all eastern and western people, the Indian supplies and travel changing from Cheyenne to Sidney, and Sidney was the most lively of any railroad town on the Union Pacific, and the road between Sidney and the hills was soon black with the people coming and going.

The postal department of the general government would not furnish mail to the Hills, claiming it was Indian country, and they had no interest there, although the revenue department of the government collected on whisky, tobacco, etc.

To make a success of my undertaking, I though it desirable that there should be mail facilities in the Black Hills, and put on Clarke's Centennial Express, and opened up post-offices in all the leading mining camps in the Black Hills.

I placed Centennial envelopes on sale in all the camps, Omaha, and Chicago, and some of the railroad ticket offices. I had these made small so as to inclose in ordinary envelopes, so that parties could send them when writing to friends and insure quick replies. We made the trips each way once a week.

The riders had no stopping stations between Sidney and the bridge, and but one between the bridge and Red Cloud (Camp Robinson), and none between Camp Robinson (Red Cloud) and Custer City, some seventy miles. Our riders

were men of nerve, and killed many horses in the long rides. What rest the riders got on the plains would be to stop with lariat in hand while the ponies fed on the grass.

We paid $100 to $125 per ton for hay, and twelve to fifteen cents per pound for corn in the Hills.

I arranged with the postal department to turn over all mails to me at Sidney, for points in the Hills, and for it to accept all of my mail at Sidney.

With the war department, through Omaha headquarters, I contracted to carry the army mail between Fort Sidney, Camp Clarke, and Camp Robinson, and for the government to give me protection for the bridge, and they built a two-story block house on the island on which the ends of the bridge rested. The lower story of the block-house was twenty-two feet square, and the upper story was thirty-two feet square; the upper lying across the corners of the lower story, making it octagon in shape, with port holes on all sides. It was made of sawed timber, lying one above the other and spiked down. The roof was also made of sawed timber. They were anxious to protect the bridge, and placed a squad of infantry in the block house and a company of cavalry on the south end of the bridge, at Camp Clarke store and post-office. They were large patrons of the bridge in passing supplies, quartermasters' commissary stores, artillery, soldiers, etc., and with the Sioux and Cheyenne Indian war on, as it was late in 1876 and 1877, it would have been hard for them to have got along without it. They paid me large sums of money for the use of the bridge. The nearest bridge west was ninety miles, at Fort Laramie, and 130 miles to North Platte City on the east.

The rates for crossing were $2 for two horses, mules, or oxen, wagon and driver, and was fifty cents for each additional horse, mule, ox, or man. I had more fears that some bad white men would burn the bridge than the Indians; the latter had always been friendly to me at Bellevue, in 1855, when we had 1,000 Omahas and the Sioux and Cheyennes, from '76 to '77 and later.

Later on I contracted with March & Stephenson to put four-horse coaches on to carry my mail, paying them $4,000 per year, and thus get stage services between Sidney, Camp Clarke, Camp Robinson, Rapid City, Deadwood, and other towns and camps in the Hills, and later the government contracted to transport the mails, taking the place of Clarke's Centennial Express.

The bridge was a great success, but the Centennial Express was unprofitable, owing to the large expense for men, horses, and feed.

There were but few buffalo in the valley after 1876. The last one I saw was an old stray bull, in 1877. In passing north on the stage I saw him some distance off coming over the hills. On our return we passed within a few rods of him, on Greenwood creek, with a score or more of steers, all frothing at the mouth, trying to drive him away, taking him for an interloper. They were unsuccessful, as he took his own time to go. This was near where the Indians had killed young Schaffer's family, from Plattsmouth, a short time before.

In the matter of early transportation east and south, there has been a wonderful change, as formerly we were dependent on the Missouri River during the season of navigation, when free from ice. We had the large boats from Omaha to St. Louis that plied between New Orleans and St. Louis in the winter season and often 1,000 miles up the river from Omaha in summer. Many of them were very fine boats, and counted on ten to fourteen days for a trip from St. Louis to Bellevue or Omaha. The fare for passengers was about $20, which included stateroom with board.

Freight was from thirty-five to forty cents per 100 pounds on merchandise, and twenty-five to thirty-five cents per 100 on corn, and thirty cents to $1 per 100 on wheat.

In 1865 I have loaded steamers with wheat at $1 per 100, or sixty cents a bushel. At that time gold was worth $2.40, or 140 premium, and wheat $2.40 a bushel. All corn was

shipped in gunny bags, a coarse square bag holding about 140 pounds, imported from Calcutta, India. Wheat was shipped in cotton bags, now selling at fifteen cents apiece. We paid as high as $1.15 each for them.

I had the pleasure of shipping the first wheat on the Union Pacific Railroad, from Fremont and North Bend to Omaha, purchased by Hon. E. H. Rogers, of Fremont, and Mr. Cottrell, father of L. R. Cottrell, grain dealer at North Bend, now of Omaha. I think the freight was twenty-two cents from Fremont and twenty-five cents from North Bend, per 100 pounds, about the same price as from Omaha to Chicago, and more by five cents per 100 pounds than to St. Louis, at that time by railroad, and that with three great railroads to St. Louis and five to Chicago, and the Missouri River a failure for transportation.

WONDROUS TRANSFORMATION.

As we now look back over the past twenty-five years from 1876, with the loss of Custer and the many faithful followers, the Cheyenne Indian war—then forty years to the great Pike's Peak gold discovery, and pushing forward to the same—then again back to the many thousands of Californians and Mormons passing, who went west on foot and by wagon over the great overland route, fifty years ago, we stand amazed.

Then only a few thousand people lived in Iowa and Nebraska along the Missouri River Valley, not knowing what they had before them—dependent on the Missouri River for transporting all supplies, save the staples we raised. I have often thought how fortunate Nebraska people were in having Council Bluffs, Glenwood, Rockport, etc., along the east side of the Missouri River, the same to supply us with flour, meal, meat, butter, and eggs, and the great river, for a half of the year, bringing in supplies. Little did we then think that this great river would be abandoned for commercial purposes, and which is better to navigate to-day than thirty

or forty years ago, being free from snags. And then to think of the three great roads to St. Louis and five great roads to Chicago—a night's ride to St. Louis or Chicago, with princely Pullman and dining cars attached, instead of a ten to fourteen days' trip to and from St. Louis.

And then to look to the west—four great roads reaching to Denver and California and Oregon, and out to the Orient—a night to Denver and four days to the Pacific Ocean. And then at the cities of Omaha, Lincoln, and the many fine, active cities all over this great state—one of the most healthy, with more sunlight and the highest degree of education of any state in the Union, best and most intelligent and prosperous people, best soil and markets for the great staple products of life, wheat, corn, oats, cattle, hogs, and sheep; with the third largest packing industry in the world, and that only fifteen years old.

May we not stop and think of the wonderful progress we have made, and what of another fifty years? If it has been our fortune to see all this, making part of the great link from London, New York, Chicago, San Francisco, Portland, to Hawaiian Islands, Japan, China, and Australia over our prairies, what may we or our children see in this, the twentieth century? And why, as we start with it, may it not be with the feeling that "we have built better than we knew," and push forward, resolved, if possible, to make Nebraska and her people more honored and more happy than in the past two score and seven years?

For these many years I have been happy with the thought that my lot has been with this people, and that I, and others, made no mistake in making this state our home. And as I look over this gathering, with the few familiar faces, and the faces of children whose fathers and mothers came here early and worked for the development of this, their adopted home, and have passed on to the better land, I feel that they have left a rich heritage to the younger generation, little thinking how well they were building.

EARLY FREIGHTING AND CLAIMS CLUB DAYS IN NEBRASKA.

Written by Eugene Munn, University Place, for the annual meeting of the Nebraska State Historical Society, January 10, 1900.

At the solicitation of the Historical Society of Nebraska, I herewith submit a brief sketch of some of the early times in Nebraska, and I can best tell it by giving some of my own experiences.

Being of a venturesome turn of mind, I left a comfortable home in Ohio for the West in 1855. The fall of 1856 found me in Nebraska with a resolve to cast my anchor here and take my chances with the upgrowth of a new country, and nothing in stock save health and ambition. After drifting around at this and that until the summer of 1858, I went into the employ of Russell, Majors & Waddell, who had a large contract to transport supplies for the army commanded by Albert Sidney Johnston, which had marched into Utah to quell the rebellious spirit of the Mormons. To supply this army required eighty trains of twenty-six wagons each, each wagon being loaded with 6,000 to 6,500 pounds and drawn by six yoke of oxen—there being 312 oxen to a train and a total of 12,500,000 pounds. The total number employed was 2,400 men and 24,960 oxen. For this work, the company received $22 to $27 per hundred pounds.

Here I wish to state that at that time there were no settlers between the Missouri River and Utah, except a limited number located at the government forts and occasionally a French squaw-man.

This wild, venturesome life seemed to suit my fancy, and I, with thousands of others, did not settle down to quiet life until after the completion of the Union Pacific Railroad when

the opportunity for leading this kind of a roving life was taken from us. We so-called "overland freighters" received for our compensation, as my memory serves me, about $0.75 to $2.25 per hundred pounds for each one hundred miles, graded by distance, risk, and competition.

During this period of nine years there were millions of pounds of supplies hauled by oxen and mules to the interior forts and mining camps in the mountains of Colorado, Wyoming, Utah, and Montana. The supplies for the troops consisted of flour, bacon by the thousands of tons, sugar, coffee, canned fruits, liquors, and large quantities of corn for the cavalry horses; for the mining camps they consisted of a general stock of provisions, groceries of all kinds, and dry goods and clothing; while the Utah trade comprised principally general merchandise and farm implements.

At this point, I might cite one instance in 1865. I commanded a large train bound for Utah, and among the articles hauled were two "Pitts" separators (thrashers) for which we received $0.25 per pound freight, gross weight. These machines were not on trucks, there were no extra straw carriers, and cost, laid down in Utah, $3,000 to $3,500 each. We also had twelve combined "Buckeye" harvesters and mowers, which cost, laid down in Salt Lake City, $1,000 each.

Another instance of a long haul: we delivered in 1864 at Virginia City, Montana, a distance by wagon road in those days of 1,400 miles, a complete stock of drugs and store fixtures with a quantity of liquor, for which we were paid $0.28 per pound in gold dust.

These nine years spent in overland freighting were brimful of adventures, crossing swollen streams, in snow storms, encounters with the Indians, etc.

At one time in 1860 I attempted to swim the Platte River near the mountains when it was very high, and it came near being my last swim. I had given up all hopes of life, had ceased further efforts, and let myself down to drown when,

to my great joy, I *touched bottom!* I finally reached the shore as near drowned as a man could be and yet not be.

Again in 1867 in swimming the Missouri River in Montana, when the slush ice was running thick, I barely escaped with my life and that of my faithful saddle mule.

These were hairbreadth escapes and yet never so thrilling and startling as the Indian war-whoop, which would startle the coolest and most brave and cause his hair to bristle sufficiently to lift his hat in polite response to "Brother Lo." I have been held up several times at close range, but was fortunate enough to get the drop on my antagonist and cause him to retreat in haste. I never shot an Indian nor had one shoot me.

While traveling up and down the Platte River Valley, I had the pleasure of giving the old veteran chief, Red Cloud, of the Sioux tribe, many a meal of bread, coffee, and bacon. He was a grand old Indian. On one occasion he came into Nate Oldham's, a neighboring camp to mine, and asked for the captain (as the wagonmasters were called). When the captain was pointed out to him, the old chief approached and asked for something to eat (they always seemed to be hungry). The captain answered, "Oh, go away, —— you!" when the old chief retorted that he had been to Washington and shaken hand with the "Great Captain" and "you, you go away, —— you." It is useless to state that the old chief got his cup of coffee.

Many of you have heard of and perhaps some of you know something about the Claim Clubs in the early days of Nebraska—in 1856–57. These were committees organized by the early settlers to protect each other in holding more land than the United States laws allowed them. The law granted each *bona fide* settler 160 acres, while these clubs would claim everything in sight, and when an outsider came in and "squatted" on any of this land, which to all appearances, and of record, was vacant, he was visited by this club, and I am sorry to say, many were never seen after being taken in charge by said club.

The undersigned "squatted" on a quarter section in Cass County in May, 1857, built a claim house, not very expensive but sufficient to fill the requirements of the law, and lived in the same long enough to make the claim good. He was then visited by one of these clubs, known as the Rock Bluffs Club, consisting of about fifty persons, all armed with various kinds of weapons, and all to arrest one lone individual with nothing more than a pocket-knife about him. Fortunately, I was acquainted with one of the men, L. R. Boxley, an old Virginian. They organized a court and I was called upon to state my case to the judge and jury. I did so after this manner, as I was not in a very good humor: first, I said that a trial was useless and worse than a farce, for I could read the verdict already in the countenances of the members of the so-called jury; second, that I was in their hands and that they could, and would, do with me as they pleased. At this juncture my old friend Boxley, who came along with the club as a sort of mediator, stated that he had known the prisoner favorably, and suggested that the claimant and myself should each choose a man to arbitrate our claims on said land, to which suggestion I readily assented, as it was the only and best way out of it. The result was, I was paid $5 per day for the five days that I had put in on the claim, with the privilege of moving my house off.

The census of 1855 gave Otoe County a population of 1,188; Douglas County, 1,028; and next, Cass County, 712. The census complete gave the Territory 4,491 inhabitants. In 1856, when the writer landed in Otoe County, Nebraska City was considered the largest town inthe Territory, having a population of about 2,000.

The early settlers located near the river, none venturing back far, for all had to depend on the steamboat traffic on the Missouri River for supplies. Almost everything that was needed was brought up the river by steamboat. Pine lumber sold at from $60 to $100 per thousand feet, and every other article was proportionately as high.

Among my early acquaintances in Nebraska were Hon. J. Sterling Morton, N. S. Harding, J. J. Hostetler, the Hawks brothers—Robert, Jacob, and George, the two former having long since passed away—William Bischof, Hon. Antone Zimmer, and T. M. Marquett, general attorney for the B. & M. R. R., formerly of Plattsmouth. He died here some years ago, and, no doubt, is well remembered by many Lincoln citizens.

THE BUILDING OF THE FIRST CAPITOL AND INSANE HOSPITAL AT LINCOLN—REMOVAL OF ARCHIVES.

Written for the Nebraska State Historical Society by Franklin Ball, Palmyra, Neb.

The most important event in the history of the State at this period (1867) is the removal of the capital from Omaha to Lincoln, the founding of the capital in the midst of an almost unbroken prairie, and the location of the capitol by Governor Butler, Auditor Gillespie, and Secretary Kennard as commission for selecting a site. The afternoon of July 29, 1867, having examined all the favorable sites there, the selection was made, Lancaster having received two votes on the first ballot and Ashland one. On the second ballot it was made unanimous in favor of Lancaster. The ground was broken for the foundation (the honor of which was given to Master Fred Martin Donovan, the first child born to the oldest settler of Lancaster County) January 11, 1868. The contract for furnishing the material and labor and erecting the building was awarded to James Ward, of Chicago, for the sum of $65,000.

There was a sod building with a board roof east of the capitol which was built for a boarding house and was used as such until there was a boarding house built down town, so that the men could get places to board. The south end of the sod house was used for a dining room. On the sides were bunks for the men to sleep in. They cooked in the north end. In the northwest corner was a small room which Mr. Ward had his office in, until about the 1st of October, 1868. After it was abandoned for a boarding house it was used for a carpenter shop.

The foundation was built from stone south of Lincoln. The stone came from Beatrice quarries in Gage county, and most of it was drawn by oxen. The sandstone came from Yankee Hill quarries. The lime was burned up Salt Creek. Some of the sand was taken out east of the capitol until the hole caved in and killed the young man who was drilling for the sand. After that it came from the west. The lumber came by the way of Nebraska City. One lot of lumber was brought on the river. It took so many wagon loads that it would be impossible to get the capitol done by the 1st of December, for we were fifty miles from the Missouri River, and it was almost impossible to get any material in season.

The money to build the capitol was from the proceeds of the sale of lots, which was to be deposited with the State Treasurer. This was not complied with because of the rumor that the enemies of the enterprise would enjoin the Treasurer against payment of money upon warrants on the building fund, which most likely would have defeated the commissioners, for it would have delayed operations till too late to secure the erection of the state house, even if the courts had not sustained the injunction. The money was kept where no man knew about it but the commissioners. One man said that lots of money was paid out and no record kept of it. Everything was kept so that the enemies of building the capitol could not get hold of anything, so as to stop the building. They claimed that the location of the capital was not constitutional, for it should be by the votes of the people. The building of the capitol went on slowly until about the 1st of December, 1869. About that time Governor Butler issued a proclamation announcing the removal of the seat of government to Lincoln and ordered the transfer of the archives of the State to the new capitol from Omaha. The teams were got and all books and fixtures were boxed and loaded up for Lincoln. The roads were bad and the weather was bad, and some of the teams were on the road from six to ten days. As they arrived at Lincoln they were unloaded

in the corridors of the capitol. Then the book boxes were assorted out and rolled into the library. The boxes for the Governor's rooms were put in his department, and those for the other departments in their place, and the work of unpacking the boxes and putting them in order was done. Then came the teams with the furniture for the capitol. Some of the teams were so long on the road that they used up all the money the drivers had with them, so they went to the Governor for some money to get back to Omaha with. Governor Butler said that he did not have any money that belonged to the State; but they could not get home without money, so he gave each one $5 of his own money. He said he would soon run out of money himself. Governor Butler with some help put his offices in order. Secretary Kennard put his office in order, and finally Auditor John Gillespie put his office in order with some help. It was said by some, "Now let the enemies of the capitol swear out an injunction if they want to."

The men came from Omaha to put up the furniture. They were about two weeks at the work. As they wanted help, Mr. Ward let Mr. Ball help them. John Monteith with his sewing machine sewed the window curtains. He worked in one of the Auditor's rooms. The desks were most of them green walnut, and poor at that. The carpets were poor. On New Year's Day the Governor and Secretary were in the room under Representative Hall when some of the hands said to the Governor that he ought to set up the treats. The Governor soon came back and said, "Come down to my room when you get through work." We all went to the rooms, and in a few minutes Mrs. Butler and Mrs. Kennard said, "Come into the dining-room." We all sat down to one of the finest suppers that any men ever sat down to. On the 7th day of January, 1869, the capitol was not all finished, but the legislature met there. All of the archives had arrived from Omaha and from the prairie and they were thawed out, and the new seat of government was in full start, and all the men

paid off. One man said, "Where did this money come from?" "You got your pay, and none of your business where it came from."

With Governor Butler in his office, Secretary Kennard in his office, Auditor Gillespie in his office, the Senate with E. B. Taylor, of Douglas County, president, S. M. Chapman, secretary. The House officers were Hon. William McLennan, of Otoe County, as speaker, John Brown as chief clerk, James Stewart, treasurer, N. Brock, deputy.

Governor Butler and Secretary Kennard lived in the room under Representative Hall.

The bill locating and appropriating funds for the first insane hospital building in Nebraska was introduced in the legislature and passed in 1868. The commissioners, David Butler, T. P. Kennard, and John Gillespie, located the hospital on Yankee Hill, three miles southwest of Lincoln. Joseph Ward, of Lincoln, received the contract September 15, 1869. The building was completed at a cost of $137,000 and accepted by the commissioners November 29, 1870. The basement was put in in the fall of 1869; the work commenced on the superstructure in March, 1870. Elick, from Chicago, was foreman of the stone-work, and Franklin Ball foreman of the wood-work. Ballantine & Bro. furnished most of the lumber for the building. The sandstone was got out south of the building on Yankee Hill. The sandstone for the ashler came from near Crete. The limestone for the window caps and other trimming came from near Ashland.

Mr. Binwell had the contract for furnishing the sand and water. The men employed on the building were homesteaders. Mr. Ward and Mr. Ball gave the work to these men because they were residents of the State. Men who came to Lincoln and wanted to work for a short time did not like it much. The first asylum was set on fire in the attic of the wing by putting a candle on one of the joists and putting shavings and sticks, so when the candle burned down it set

the shavings on fire. The fire was put out by hard work. The rain had filled the tank and cistern with water so the men had plenty of water to put out the fire with. It was set by some one when the painters went to dinner. We opened the windows and doors so the smoke blew out of the main building. The water was carried up the stairs in pails and paint buckets, and we cut holes in the roof and threw water in the holes till the fire was put out.

The institution was opened December 22, 1870. Dr. Lash was superintendent, with twenty-six inmates. The asylum was burned April 17, 1871, and three inmates are supposed to have perished, as that number were missing. The building was rebuilt at the cost of $70,000. The commissioners for the new building were W. E. Shill, D. W. Scott, and Samuel Maxwell.

UNDERGROUND RAILROAD IN NEBRASKA.

The article on "The Underground Railroad in Nebraska," by Alice A. Minick, in the published proceedings of the Nebraska State Historical Society, Vol. 2 (second series), p. 70, has attracted my attention.

I was with the emigrants to Kansas from Milwaukee, Wis., who preceded the Lane party in 1856. We crossed the river at Nebraska City in a scow and made the first road from that point direct to Topeka, Kan. Over that road the same fall, in September, 1856, I assisted in running north a fugitive black slave. We took him over the river at Nebraska City, and turned him over to an agent of the underground railroad (a Congregational minister) at Oskaloosa, Iowa. As that was the first road built in this direction from the south I am inclined to think this was the first passenger on the U. G. R. R. through Nebraska from Kansas via Topeka, Kan.

JOHN E. RASTALL,
334 Dearborn St.,
Chicago, Ill.

II.—PROCEEDINGS.

PROCEEDINGS.

TWENTY-FIRST ANNUAL MEETING.

UNIVERSITY CHAPEL, January 11, 1898.

The Society was called to order by the President, Hon. J. Sterling Morton, at 8:00 P.M.

The next order of business was calling of the roll by the Secretary. A quorum answered to their names. There being no other business, the program of the evening was entered upon.

The first paper was presented by the President, Hon. J. Sterling Morton, "Territorial Newspapers of Nebraska." Dr. George L. Miller, of Omaha, next read a paper entitled "Newspapers and Newspaper Men of the Territorial Days."

As the hour was late, the Secretary presented two papers by title: one by Hon. D. W. Carpenter, "Pioneer Journalism," and the other by Hadley D. Johnson concerning his recollections of early days. After remarks by the President, the Society adjourned till Wednesday evening, January 12.

J. STERLING MORTON,
President.

H. W. CALDWELL,
Secretary.

UNIVERSITY CHAPEL, January 12, 1898.

The Society met according to announcement and was called to order by the President, J. Sterling Morton. The report of the meeting of January 12 and 13, 1897, was read by the Secretary, and after one or two minor corrections was adopted. The Treasurer's report was then read, and on motion was received and adopted. The total amount of money reported on hand was $3,121.70.

Mr. Barrett then presented a report as librarian, which, on motion, was received and placed on file.

The following names were then presented for membership, and by consent the rules were suspended and the same unanimously elected members: Thomas W. Bell, Palmyra; W. W. Woodward, Palmyra; Nelson C. Brock, Lincoln; John G. Maher, Chadron; William F. Martin, Bellevue; William E. Connelley, Beatrice; Mrs. Nelia Hammond, Indianola.

Under the order of new business Governor Robert W. Furnas called attention to the fact that Mr. William E. Connelley was present with many documents relating to the early history of Nebraska Territory and the Wyandot Indians. At his request, the Secretary was asked to explain the whole matter to the Society. The Secretary then outlined the subject and suggested that Mr. Connelley was the man to give the most important information. After a discussion of the subject by Mr. Connelley, Mr. Gillespie, and others, Mr. Barrett made a motion that a committee of five be appointed by the chair with power to consult with Mr. Connelley in regard to the purchase or publication by the Society of the documents in Mr. Connelley's possession. The chair named as such committee, Ex-Gov. R. W. Furnas, J. A. Barrett, Hon. C. H. Gere, Hon. A. J. Sawyer, and Prof. H. W. Caldwell. The committee was given full power to complete all arrangements with Mr. Connelley to secure the manuscripts for publication and to provide for necessary expenses.

The next order of business was the election of officers for the next year, which resulted as follows:

President, J. Sterling Morton.

First Vice-President, R. W. Furnas.

Second Vice-President, G. M. Lambertson.

Treasurer, C. H. Gere.

Secretary, H. W. Caldwell.

A very interesting paper was then read by Hon. A. J. Sawyer on "The *Habeas Corpus* Case of the Lincoln City Council." Mr. T. H. Tibbles then discussed "The Ponca *Habeas Corpus* Case." The Society after this adjourned to

join with the Horticultural Society in eating apples and in a social time.

J. STERLING MORTON,
President.

H. W. CALDWELL,
Secretary.

Resolution of the committee appointed January 12, 1898, to act on the matter of the Connelley manuscripts.

Resolved, That the Secretary be authorized to publish 1,500 copies of the first volume, the volume not to exceed 400 pages, from the historical documents submitted by William E. Connelley, the same to be edited, copy furnished, and proof read by Mr. Connelley. That the President and Secretary be authorized to draw a warrant for the purchase of a typewriter with a desk for Mr. William E. Connelley, in compensation for his services in preparing the copy and reading proof for the above mentioned volume.

That when the volume is published, 500 copies of the same shall be delivered by the Secretary free of cost to the said William E. Connelley in compensation for his labor in getting the material for the volume.

H. W. CALDWELL.

TREASURER'S REPORT.

LINCOLN, NEB., January 12, 1898.

Hon. J. Sterling Morton, President of the Nebraska State Historical Society:

I have the honor to make the following report of the receipts and expenditures of the State Historical Society for the year ending with this date:

RECEIPTS.

Bank Account.

On hand in First National Bank, Lincoln, January 12, 1897	$450 20
Received, membership fees	36 00

From sale of badges	$ 2 80
Cash contribution, H. W. Caldwell	25 00
Interest on deposits	13 40
Total	$527 40

State Treasury Account.

Amount on hand January 12, 1897	$695 94

EXPENDITURES.

Warrants drawn for salaries and expenses to April 1, 1897	$374 66	
Covered back into the treasury April 1	321 28	
Total to April 1	695 94	
Appropriation received April 1, 1897		$3,500 00
Warrants drawn to January 12, 1898		895 66
Balance in treasury		$2,604 34
Check on First National Bank for sundries	10 00	
Balance in bank		517 40
Total balance on hand		$3,121 74

Very respectfully,

C. H. GERE,
Treasurer.

TWENTY-SECOND ANNUAL MEETING, 1899.

UNIVERSITY CHAPEL, January 10, 1899.

The President of the Society, Hon. J. Sterling Morton, called the Society to order at 8:15 P.M. The roll call was dispensed with by a vote moved by Mr. H. T. Clarke, of Omaha, and the reading of papers was taken up as the next order of business. The papers were in the following order and without discussion except the third one:

President's address, "My Last Buffalo Hunt," Hon. J. Sterling Morton. "A Nebraska Episode of the Wyoming Cattle War," Hon. A. E. Sheldon. "Some Peculiar Features of the Nebraska Constitution," C. S. Lobingier.

On the last paper, Mr. Victor Rosewater, of Omaha, suggested corrections concerning the nominations in 1894 and the calling of the constitutional convention, which called forth remarks by Mr. Lobingier, Mr. Sheldon, and Mr. Rosewater again.

It was moved by Mr. Barrett that the biography of Mr. Dundy, prepared by Mr. Towle, of Falls City, be read by title, Mr. Towle not being present. It was seconded and carried.

Further business was postponed by motion until after the program of January 11, and the Society adjourned to Wednesday evening.

UNIVERSITY CHAPEL, January 11, 1899.

The President called the Society to order, announcing that the manuscripts of ex-Senator Thomas W. Tipton, entitled "Forty Years of Nebraska, at Home and in Congress," had been placed in the hands of the Society and would be published in due time.

The papers for the evening were, first, "The Mormon Settlements in the Missouri Valley," by Clyde B. Aitchison, of Council Bluffs; second, "My First Trip from Salt Basin to Omaha," by W. W. Cox; third, "Early Reminiscences," by Mrs. C. Irvine (Oregon, Mo.); "The Gilmore Reminiscences," (read by title), and the "Chilcott Diary" (read by title).

Mr. Aitchison's paper dealt with the emigration of the Latter Day Saints from Illinois to Utah, and the settlements made by them along their routes of travel. The paper of Mr. Cox concerned a Republican convention of 1862, of which the writer was a member, and a Democratic convention which met at the same time, both at Omaha. The Chilcott diary was kept by a Mrs. Chilcott in Burt County, during 1856, and parts of several other years. The Gilmore Reminiscences were obtained from Benjamin Gilmore, of Stewartsville, Mo., who, by courtesy of the Missouri Pacific Railroad and Burlington Railroad, visited the Historical Society in December, 1898. Mr. Gilmore came to Bellevue, in

the "Indian Country," in 1832, at the age of seventeen, as government blacksmith to the Otoes. At the same time his father occupied the same position in respect to the Missouris. Benjamin Gilmore acted in that capacity seven or eight years, and for about the same length of time thereafter was interpreter for traders and travelers, and was, in fact, the interpreter through whom Moses Merrill preached his sermons to the Otoes, 1833–1840. Mr. Gilmore left the Nebraska country in 1849.

Mr. H. T. Clarke mentioned coming to Lincoln with others, to help select a site for the capitol, and camping at a two-story stone house near Eighth and Q streets.

Following the literary program the Society held a business meeting. The Treasurer's report was read and approved, following the approval of the Secretary's minutes of the previous meeting. The officers elected for the ensuing year were:

President, Hon. J. Sterling Morton.
First Vice-President, Hon. Robert W. Furnas.
Second Vice-President, Hon. G. M. Lambertson.
Secretary, Prof. Howard W. Caldwell.
Treasurer, Hon. Charles H. Gere.

A resolution was adopted calling for biographies of members of the Society who had died during the year. After election of the following members, the Society adjourned:

ACTIVE MEMBERS.—E. E. Blackman, Roca; J. W. Searson, Grand Island; Charles Kuhlmann, Grand Island; John C. Barnard, Omaha; Clement C. Chase, Omaha; E. Franklin, Lincoln; F. S. Philbrick, Lincoln; Bertha Pinkerton, Lincoln; F. G. Franklin, Lincoln; Mrs. T. H. Tibbles, Lincoln; Mr. T. H. Tibbles, Lincoln; Edwin S. Towle, Falls City; W. F. Parker, Florence; Hugh O'Neill, O'Neill; J. F. S. Smith, Elgin; J. S. Fretz, Geranium; Miss Edith Tobitt, Omaha; Peter Jansen, Jansen; F. F. Loomis, Butler County; Mrs. Harriet S. MacMurphy, Omaha; Ed Whitcomb, Friend; Everett Swain, Springfield; S. A. Gardiner, Lincoln; John

Turner, Indianola; W. R. Davis, Seward; Dr. O. L. Cox, Cortland.

HONORARY.—Ex-Senator T. W. Tipton, Washington, D. C.; Benjamin Gilmore, Stewartsville, Missouri; Mr. and Mrs. Charles Irvine, Oregon, Missouri; Mr. S. E. Upton, Lincoln.

J. STERLING MORTON,
President.

JAY AMOS BARRETT,
Asst. Secretary and Librarian.

TREASURER'S REPORT, 1899.

Hon. J. Sterling Morton, President:

The following is the report of receipts and expenses of the State Historical Society for the year ending January 11, 1899:

RECEIPTS.

Balance on hand January 12, 1898, in First National Bank, Lincoln		$ 517 40
Received, membership fees		8 00
Interest on deposit to January 11, 1899		15 00
Balance in State Treasury January 12, 1898		2,604 34
Total to be accounted for		$3,144 74
By warrants drawn on the Treasurer for salaries, supplies, printing, etc.	$2,032 77	
Leaving balance in bank		$ 540 40
Balance in Treasury		571 57
Total balance on hand		$1,111 97

Respectfully,

C. H. GERE,
Treasurer.

TWENTY-THIRD ANNUAL MEETING, 1900.

LINCOLN, NEB., January 9, 1900.

Society called to order by President J. Sterling Morton. After roll-call, the program of the evening occupied the entire evening until after ten o'clock.

The first address was by President J. Sterling Morton on the early industrial life of Nebraska, emphasizing the difficulties of the early settlers before the advent of railroads and improved means of transportation.

Dr. L. J. Abbott next presented a paper on the state Republican convention of 1870 and the incidents of the campaign; a character sketch of Governor Butler. The next paper was a very appreciative sketch of the life of Hon. Champion S. Chase by his son, Clement C. Chase. The Secretary read a paper prepared by Mr. David Anderson, of South Omaha, concerning the first settlement of Nebraska. "Pioneer Days in Boone County," prepared by Mr. John Turner, of Indianola, was read by title and accepted for printing.

Hon. R. W. Furnas asked further time to prepare a paper on Ex-Senator T. W. Tipton, which, on motion, was granted. The Society then adjourned to meet on Wednesday evening at 7:30.

J. STERLING MORTON,
President.

H. W. CALDWELL,
Secretary.

LINCOLN, January 10, 1900.

Meeting called to order by President, J. Sterling Morton, at 8:10 P.M.

The first paper was presented by Mrs. T. J. Wilburn, of Greenwood, on the "Life and Services of William F. Chapin."

The subject of freighting in the early days was discussed by Major C. Anderson and Rev. T. K. Tyson in a very interesting manner. Ex-Governor Thayer made an elaborate statement in regard to the "Pawnee War." The discussion

was precipitated by some statements in Mr. David Anderson's paper which had been read the preceding evening. Owing to the lateness of the hour, further discussion was dispensed with, and the Society proceeded to the election of officers, hearing reports, and transacting such other business as came before it for action.

The minutes of the preceding meeting were read and approved. The Secretary presented his annual report, and the Librarian made some interesting statements in regard to the growth and development of the Society.

The election of officers resulted in the following selections:

President, J. Sterling Morton, Nebraska City.

First Vice-President, R. W. Furnas, Brownville.

Second Vice-President, C. S. Lobingier, Omaha.

Secretary, H. W. Caldwell, Lincoln.

Treasurer, C. H. Gere, Lincoln.

On motion of Hon. R. W. Furnas a committee of five was appointed to confer with a like committee from the Territorial Pioneers' Society, to consider the desirability of merging the two societies, and also the question of having an annual banquet. The committee consisted of Hon. C. H. Gere, A. J. Sawyer, James North, H. T. Clarke, and Isaac Pollard.

The following committees were then appointed by the President:

1. On *Publication.*—The President, S. L. Geisthardt, C. S. Lobingier.

2. On *Obituaries.*—R. W. Furnas, G. L. Miller, Dr. L. J. Abbott.

3. On *Program.*—The Secretary, H. W. Hardy, A. E. Sheldon.

4. On *Library.*—J. A. Barrett, Mrs. S. B. Pound, F. M. Fling.

5. On *Museums and Collections.*—The Librarian, C. S. Paine, C. C. Chase.

The Committee on Museum and Collections is a new committee, provided for by an amendment of the By-laws, on motion of the Secretary.

The following names were presented for membership, and on motion unanimously elected:

ACTIVE.—Chas. Q. De France, S. J. Alexander, Clyde Barnard, Mrs. J. A. Barrett, Dr. H. J. Winnett, N. C. Abbott, Gen. John M. Thayer, W. W. Watson, Major C. Anderson, Mrs. C. S. Paine, W. S. Heitzman, Rev. T. K. Tyson, James North, M. M. Warner, Miss Sarah Harris, Eugene Munn, Mrs. R. W. Furnas, A. K. Goudy, E. O. Miller, Frank Miller, Mrs. T. J. Wilburn, Mrs. S. Kirkpatrick Harmon, F. G. Hawksby, A. T. Richardson.

HONORARY.—As an honorary member the name of Mr. D. E. Longsdorf, of Pennsylvania, was presented, and on motion elected.

Adjourned.

J. STERLING MORTON,
President.

H. W. CALDWELL,
Secretary.

MEETING OF THE EXECUTIVE BOARD OF THE SOCIETY.

LINCOLN, January 25, 1900.

Present: President J. Sterling Morton, Treasurer C. H. Gere, and Secretary H. W. Caldwell. Absent: the first and second vice-presidents, R. W. Furnas, C. S. Lobingier.

A suggestion was received from Chancellor C. E. Bessey that the Board request the Regents to set aside a location on the campus for a building to be used by the Historical Society, this request to be presented to the Regents at their February meeting. The Secretary was instructed to draw up and present such a request.

The Board also passed a resolution affirming the policy adopted by the Secretary and the Librarian in regard to the disposal and management of the books published by the Society. The general spirit of the Board was that these volumes should go only to active members of the Society, or to

those who have given an equivalent in some form. The general policy of conserving the publications as carefully as possible to be followed. The books to be used as exchange material in the main.

The Board also requested the Secretary to enter into immediate correspondence with the following persons for the purpose of securing an account of the life and work of distinguished Nebraskans who had died during the last year:

1. That Governor Furnas be requested to prepare a careful life of ex-Senator T. W. Tipton, to be furnished the Society for preservation and ultimate publication.

2. That Mr. W. E. Annin, Phoenix, Ariz., be asked, in the name of the Society and of Mr. Morton and Mr. Gere especially, to prepare immediately a life of Senator A. S. Paddock, to be furnished the Society for publication.

3. That Mrs. Alvin Saunders be corresponded with in regard to the preparation of a life of Governor and Senator Saunders, either by herself or by some one chosen by herself.

4. That Miss Sara Burrows be consulted in regard to a life of her father.

5. That Miss Sarah Harris be asked to prepare a life of N. S. Harwood for the Society.

6. That Col. W. F. Cody be urged to prepare immediately a life of Col. Alexander Majors.

All these biographies to be seen to at once. The Secretary was also urged to correspond with the various members of the standing committees to see if they can not be gotten to do more efficient work.

It was also resolved "That the salary of Jay A. Barrett be raised to ($100) one hundred dollars per month, to begin with the next fiscal year, April 1, 1900."

The Secretary and Mr. J. A. Barrett were also authorized to employ such assistance as was needed and the funds would justify, for office work, and to assist in arranging newspapers for binding, etc. They were authorized to employ help by the month or by the hour as the necessities demanded.

Satisfaction was expressed in regard to the growth of the Society, but to facilitate its work still more Mr. C. S. Paine was made the Society's "agent" for collecting curios, Indian relics, newspapers, etc., without salary, under the title of the State Historical Society's "Collector."

Adjourned.

H. W. CALDWELL,
Secretary.

TREASURER'S REPORT, 1900.

LINCOLN, NEB., January 8, 1900.

Hon. J. Sterling Morton, President:

SIR—I have the honor to report the following account of receipts and expenses of the Nebraska State Historical Society for the year ending January 8, 1900:

STATE AUDITOR'S ACCOUNT.

Balance on hand January 9, 1899, appropriation of 1897	$ 648 22
Appropriation of 1899	5,000 00
Total receipts	$5,648 22
Warrants drawn in vouchers for salaries of officers, printing, stationery, postage, express, and sundries	$2,079 70
Balance on hand in state treasury	$3,568 52

BANK ACCOUNT.

Balance in First National Bank of Lincoln, January 9, 1899	$ 540 40
Interest on deposits	15 00
Checks drawn on salary vouchers	50 00
Balance on deposit	505 40
Total balance on hand	$4,073 92

C. H. GERE,
Treasurer.

LIST OF ELECTED MEMBERS.

In the following list the aim has been to include the names of all who have been elected to membership, from 1879 to 1901, and the charter members of 1878. Some have not completed their membership by paying the required initiation fee, and such names are omitted in the mailing lists. Those known to be dead are marked with a star. Members so rarely communicate with the office of the Historical Society that errors can not be eliminated in the addresses, and corrections of the list should be sent to the Society office whenever possible.

*Abbott, Dr. L. J. (1896).
Abbott, N. C., Philippine Isl. (1900).
Adair, William (1878).
Aitchison, Clyde B., Council Bluffs (1894).
Alexander, S. J., Lincoln (1900).
*Allen, J. T. (1878).
Ames, J. H., Lincoln (1878).
Anderson, Major C., South Omaha (1900).
*Andrews, Dr. Israel W. *cor.* (1886).
Annin, W. E., Denver (1901).
Aughey, Prof. Samuel (1878).
Austin, L. L. H. (1894).
Baer, J. N., Lincoln (1894).
Ball, Franklin, Palmyra (1895).
Barbour, Prof. E. H., Lincoln (1897).
Barnard, Clyde, Table Rock (1900).
Barnard, John C., Omaha (1899).
Barrett, Mrs. J. A., Lincoln (1900).
Barrett, Jay Amos, Lincoln (1891).
Bassett, S. C., Gibbon (1894).
Bell, Thomas W., Palmyra (1898).
Bennett, Prof. Charles E., Ithaca, N. Y. (1890).
Bessey, Prof. Charles E., Lincoln (1885).
Bixby, A. L., Lincoln (1901).
Blackman, E. E., Roca (1899).
*Blakeley, William (1893); died 1-2-'98.
Blakeley, Maggie (1893?).
Blakely, Nathan, Beatrice (1893?).
*Bowen, John S. (1880?).

Bowen, William R., Omaha (1880?).
Bowers, W. D., Seward (1888).
Bowman, O. R., Waverly (1901).
Broady, Judge J. H., Lincoln (1892).
Brock, Nelson C., Lincoln (1898).
Brockman, Hon. J. M., Stella (1893).
Brodfehrer, J. C., Dakota City (1879).
Brown, H. W., Lincoln (1891).
Brown, J. H. (1878).
Bruner, Prof. Lawrence, Lincoln (1894).
Bruner, Uriah, West Point (1894).
*Budd, J. J. (1878).
*Burnham, Leavitt (1891).
Burress, J. Monroe, Auburn (1896).
*Butler, Hon. David (1880).
*Cadman, John (1878).
Caldwell, Prof. H. W., Lincoln (1885).
Campbell, D. A., Lincoln (1893).
Canfield, Dr. James H., New York City (1892).
Chadsey, C. E., San Jose, Cal. (1891).
Charde, Mrs. A. B., Omaha (1901).
Chase, Clement C., Omaha (1899).
Chapin, Rev. E. H. (1890).
Chapman, Judge S. M., Plattsmouth (1886).
*Childs, E. P. (1887).
Church, Prof. G. E., San Francisco, Cal. (1880).
Clarke, H. T., Omaha (1878).
*Clarkson, Bishop R. H. (1878).
Clements, E. G., Lincoln (1901).
Colby, Mrs. Clara B., Beatrice (1883).
Colby, Gen. L. W., Beatrice (1895).
Connelley, William E., Topeka, Kan. (1898).
Cooke, H. F., Beatrice (1895).
Cornell, C. H., Valentine (1901).
*Correll, E. M. (1895).
Cox, Dr. O. L., Cortland (1899).
Cox, S. D., Minatare (1886).
Cox, W. W., Cortland (1888).
Craig, Hiram, Blair (1878).
Crounse, Hon. Lorenzo, Fort Calhoun (1878).
Croxton, J. H. (1878).
Culver, J. H., Milford (1895).

Darling, Charles W., Utica, N. Y., *cor.* (1886).
Davidson, S. P., Tecumseh (1886).
Davies, J. A., Butte, Neb. (1894).
Davis, W. R., Seward (1899).
Dawes, H. E., Lincoln (1894).
Dawes, Hon. J. W., New York City (1886).
De France, Charles Q., Lincoln (1900).
Dickey, Mrs. Laura N., Palmyra (1897).
Dinsmore, J. B., Sutton (1883).
Doane, George W., Omaha (1878).
Dobbs, Hugh J., Beatrice (1895).
Daugherty, M. A., Sidney (1880).
Dudley, Lieut. Edgar S., West Point Mil. Acad. (1888).
Dundey, Charles, Omaha (1901).
*Dundy, Judge Elmer S. (1878).
Dunlap, J. P., Dwight (1891).
Dunphy, L. A., Aurora (1894).
Eller, W. H., Greensboro, N. C. (1883).
Farnham, Geo. L. (1888).
Fechet, Major E. G., U. S. A. (1896).
Fifield, L. B., Minneapolis, Minn. (1878).
Fitzgerald, Rev. D. G., Grafton (1884).
Fletcher, Miss Alice, Washington D. C., *hon.* (1885).
Fling, Prof. F. M., Lincoln (1894).
*Fontanelle, Henry (1895).
Fort, I. A., North Platte (1895).
Franklin, E., Lincoln (1899).
Franklin, F. G. (1899).
Fretz, J. S., Geranium, Valley Co. (1899).
*Fulton, S. A. (1878).
Furnas, Hon. R. W., Brownville (1878).
Furnas, Mrs. R. W., Brownville (1900).
Gallagher, John, Fairbury (1890).
Garber, Hon Silas, Red Cloud (1878).
Gardiner, S. A., Lincoln (1899).
Geisthardt, S. L., Lincoln (1887).
Gere, Hon. C. H., Lincoln (1886).
Gere, Mrs. C. H., Lincoln (1893).
Gilmore, Benjamin, Stewartsville, Mo., *hon.* (1899).
Gilmore, William, Plattsmouth (1878).
Goss, J. Q., Bellevue (1878).
Godfrey, Mrs. A. S., Lincoln (1896).

Goudy, A. K., Lincoln (1900).
Gould, Charles H., Lincoln (1901).
Green, Lucy Garrison, Lincoln (1895).
Green, Dr. William, Lincoln (1895).
Gregory, Lewis, Lincoln (1890).
Grenell, E. N., Lincoln (1878).
Griggs, N. K., Lincoln (1887).
Hall, P. J. (1892).
Hall, Dr. P. L., Lincoln (1897).
*Hamilton, Rev. William, *hon.* (1880).
Hammond, Mrs. Nelia, Indianola (1898).
Hanna, Charles H., New York City (1895).
Harding, N. S., Nebraska City (1895).
Hardy, H. W., Lincoln (1879).
Harmon, Mrs. S. Kirkpatrick (1900).
Harris, Miss Sarah, Lincoln (1900).
Harsha, W. J. (1887).
Hartley, E. T., Lincoln (1884).
*Hartman, Chris (1878).
*Hastings, Major A. G. (1878).
Hastings, George H., Crete (1894).
Hawkes, Mrs. Nellie, Friend (1901).
Hawksby, F. G., Auburn (1900).
Heitzman, W. S., Beatrice (1900).
Hendershot, F. J., Hebron (1887).
Hiatt, C. W., Lincoln (1883).
Hoover, W. H., Lincoln (1895).
Howard, Prof. George E., Boston (1885).
*Humphrey, Austin (1878).
*Ingersoll, Prof. C. L. (1894).
Irvine, Charles, Oregon, Mo., *hon.* (1899).
Irvine Mrs. Charles, Oregon, Mo., *hon.* (1899).
Jansen, Peter, Jansen (1899).
*Johnson, Hadley D., *hon.* (1887).
Jones, D. J., Chicago (1891).
Jones, W. W. W., Denver (1879).
*Kaley, H. S. (1878).
Keim, A. R., Falls City (1886).
Kelly, Judge W. R., Omaha (1901).
Kendall, F. L. (1894).
Kennard, Hon. T. P., Lincoln (1878).
Kenyon, F. B., Tufft's College, Mass.

Kuhlmann, Charles, Grand Island (1899).
La Master, Hugh, Tecumseh (1893).
La Master, Joseph E., Tecumseh (1888).
Lambert, W. B., Neligh (1894).
Lambertson, Hon. G. M., Lincoln (1895).
Leavitt, T. H., Lincoln (1889).
Leach, A. J., Neligh (1901).
*Lemon, T. B. (1888).
Lewis, Henry E., Lincoln (1892).
Lewis, F. W. (1887).
Little, Prof. C. N., Moscow, Idaho (1891).
Little, Mrs. C. N., Moscow, Idaho (1891).
Lobingier, C. S., Omaha (1894).
Lobingier, Mrs. C. S., Omaha (1901).
Longsdorf, D. E., Pennsylvania, *hon.* (1900).
Longsdorf, H. A. (1893).
Loomis, F. F., Edholm, Butler Co. (1899).
Loomis, Miss L. B., Lincoln (1894).
*Lowe, S. E. (1895).
MacCuaig, Donald, Nebraska City (1893).
MacMurphy, Mrs. Harriet S., Omaha (1899).
*MacMurphy, J. A. (1878).
MacLean, G. E., Iowa City (1896).
McConnell, J. L., Lincoln (1883).
McCormick, E. P., Phoenix, Ariz. (1901).
McFarland, J. D., Los Angeles, Cal. (1885).
McGrew, B. H., Butte, Mont. (1892).
McIntyre, E. M., Seward (1888).
McReynolds, Robert, Lincoln (1886).
Macy, Prof. Jesse, Grinnell, Iowa, *cor.* (1886).
Maher, John G., O'Neill (1898).
Manatt, Dr. I. J., Providence, R. I. (1885).
Manderson, Gen. C. F., Omaha (1878).
Manley, Miss Rachel, Seattle, Wash. (1895).
Marshall, J. L. (1894).
Martin, William F., Bellevue (1898).
*Mathewson, Dr. H. B. (1880).
*Maxwell, Judge Samuel (1886).
Miller, E. O., Lincoln (1900).
Miller, Mrs. E. O., Lincoln (1901).
Miller, Frank, Lincoln (1900).
Miller, Dr. George L., Omaha (1878).
Miller, Prof. J. H., Cheney, Wash.

Miller, Oscar A. (1883).
Minick, Mrs. Alice A., Beatrice (1895).
*Monell, G. S. (1878).
Monroe, Prof. A. A., New York City (1895).
Moore, Miss Sarah Wool (1888).
Morgan, Thomas P., Palmyra (1897).
Morin, Edward, North Platte (1896).
Morton, Hon. J. Sterling, Arbor Lodge, Nebraska City (1885).
Mercer, A. J., Lincoln (1901).
*Mullon, Oscar A. (1885).
Munn, Eugene, University Place (1900).
Munro, Rev. G. A., Columbus (1901).
Murphy, Rev. William, Seward (1894).
Neal, C. F., Auburn (1894).
Newton, Mrs. M. B., Omaha (1896).
North, James, Columbus (1900).
Norval, Judge T. L., Seward (1888).
*Nye, Theron (1878).
O'Brien, Miss Margaret, Omaha (1901).
O'Linn, Mrs. Fannie, Chadron (1895).
O'Neill, Hugh, O'Neill (1899).
Orr, J. C., Alexandria (1892).
Osborne, George (1883).
*Owen, S. G. (1880).
*Paddock, J. W. (1887).
Paine, Mrs. C. S., Omaha (1901).
*Parker, H. W. (1893).
*Parker, W. F. (1899).
Perry, Prof. D. B., Crete (1879).
Pershing, Lieut. J. J. (1895).
Phebus, J. S., Beaver City (1889).
Philbrick, F. S., Cambridge, Mass. (1899).
Pierce, Capt. C. W., Waverly (1901).
Pinkerton, Miss Bertha, Elmwood (1899).
Platt, Mrs. E. G., Tabor, Iowa, *hon.* (1888).
Pope, A. E., Omaha (1897).
Pound, Judge S. B., Lincoln (1888).
Pound, Mrs. S. B., Lincoln (1888).
Quaintance, H. W., Washington, D. C. (1893).
*Reed, Byron (1888).
Reed, Lewis S., Omaha (1901).

Reese, Judge M. B., Lincoln (1896).
Rich, Edson P., Omaha (1885).
Richards, L. C., Lincoln (1893).
Richards, Mrs. L. C., Lincoln (1893).
Richardson, A. T., Nebraska City (1900).
Rolfe, Hon. D. P., Nebraska City (1895).
Rosewater, Dr. Victor, Omaha (1894).
*Savage, J. W.
Sawyer, Hon. A. J., Lincoln (1890).
Sayer, J. J., Chicago (1894).
Sayre, E. L., Omaha (1901).
Searson, J. W., Wahoo (1899).
Shaw, James C., Tekamah (1895).
Shedd, H. H., Ashland (1880).
Sheldon, A. E., Lincoln (1895).
Sheldon, George L., Nehawka (1894).
Show, A. B., Palo Alto, Cal. (1888).
*Shryock, L. B. W. (1878).
Shugart, E., Beatrice (1878).
*Skinner, W. H. (1891).
Slabaugh, Dr. Warren H., South Omaha (1895).
Smith, J. F. S., Elgin (1899).
Smith, William Henry, Denver, Col. (1890).
Sorensen, Alfred, Omaha (1878).
Spearman, Frank H., Nebraska City (1893).
Sprick, Henry, Fontanelle (1893).
Stephens, E. F., Crete (1897).
Steward, Dr. C. F., Auburn (1897).
Stewart, W. E., Lincoln (1897).
*Stocking, Moses (1879).
Stout, Prof. O. V. P., Lincoln (1894).
Strong, Frank (1894).
Summers, W. S., Omaha (1895).
Swain, Everett M., Lincoln (1899).
Sydenham, Moses H., Kearney (1895).
*Taggart, J. M. (1878).
Taylor, F. W., St. Louis (1897).
Thayer, Gen. John M., Lincoln (1900).
*Thompson, S. R. (1878).
Tibbles, T. H., Lincoln (1899).
Tibbles, Mrs. T. H., Lincoln (1899).
Timblin, A. L., Weeping Water (1894).

*Tipton, Ex-Senator T. W., *hon.* (1899).
Tobitt, Miss Edith, Omaha (1899).
Towle, Edwin S., Falls City (1899).
Treman, L. B., Lincoln (1887).
Tremain, Miss Mary A., Lincoln (1891).
True, M. B. C., Tecumseh (1886).
Turner, John, Lincoln (1899).
Tyson, Rev. T. K., Kansas (1900).
Upton, S. E., Lincoln, *hon.* (1899).
Vifquain, Victor, Lincoln (1880).
Wakeley, Judge E., Omaha (1895).
Walker, C. H., Lincoln (1878).
Ward, Prof. H. B., Lincoln (1897).
*Warner, Prof. Amos G. (1887).
*Warner, Mrs. E. L. (1891).
Warner, M. M., Lyons (1900).
Watkins, Albert, Lincoln (1887).
Watson, W. W., Fairbury (1900).
Webster, J. L., Omaha (1878).
Whedon, C. O., Lincoln (1879).
Wheeler, D. H., Omaha (1878).
Wheeler, H. H., Lincoln (1895).
Whitcomb, Ed., Friend (1899).
White, Frank E., Plattsmouth (1897).
Whitney, Edson L., Lamar, Mo. (1892).
Whitmore, H. J., Lincoln (1893).
*Wilbur, C. D. (1878).
Wilburn, Mrs. T. J. (1900).
Wilkinson, Dr. G. W., Lincoln (1897).
Williams, O. T. B., Magdalen, Fla. (1878).
Williams, T. F. A., Lincoln (1894).
*Wilson, W. W. (1878).
Winnett, Dr. H. J., Lincoln (1900).
Woodward, W. W., Palmyra (1898).
Woolworth, J. M., Omaha (1880).
Wright, S. L., Bethany (1880).
Yates, H. W., Omaha (1894).

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